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**PROCEEDINGS**  
**OF**  
**THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA,**

ASSEMBLED FOR THE PURPOSE OF MAKING

**LAWS AND REGULATIONS,**

**From April 1915 to March 1916.**

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**WITH INDEX.**

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**VOL. LIV.**

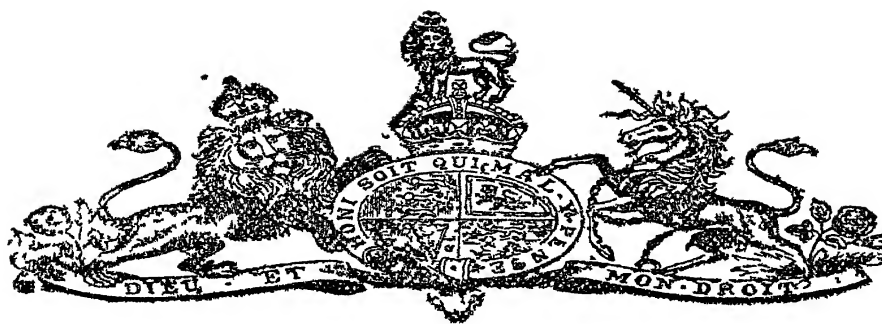
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GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA  
ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS  
UNDER THE PROVISIONS OF THE INDIAN COUNCILS ACTS, 1861 to 1909  
(24 & 25 Vict., c. 67, 55 & 56 Vict., c. 14, AND 9 Edw. VII, c. 4).

The Council met at the Council Chamber at Viceregal Lodge, Simla, on  
Wednesday, the 8th September, 1915.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P C, G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 44 Members, of whom, 37 were Additional Members.

OATH OF OFFICE.

The following Additional Members made the prescribed oath or affirmation  
of allegiance to the Crown :—

**The Hon'ble Khan Bahadur Mian Muhammad Shafi.**

„ „ **Mr. Alfred Hamilton Grant, C.S.I., C.I.E.**

„ „ **Mr. Thomas William Birkett.**

„ „ **Mr. Francis Hugh Stewart, C.I.E.**

„ „ **Mr. Godfrey Butler Hunter Fell, C.I.E.**

„ „ **Mr. Charles Holmes Harrison.**

„ „ **Mr. Evan Ebenezer Biss.**

STATEMENTS LAID ON THE TABLE.

**The Hon'ble Sir Reginald Craddock :—**“ My Lord, I beg to lay  
on the table a statement\* showing the number of Colonials employed in Gov-  
ernment service in British India, which was promised in reply to a question  
asked by the Hon'ble Mr. Surendra Nath Banerjee at the meeting of the  
Legislative Council held on the 8th September, 1914.”

\* *Vide* Appendix A.

[*Sir Harcourt Butler ; Mr. Surendra Nath Banerjee ; Sir Reginald Craddock.*] [8TH SEPTEMBER, 1915.]

**The Hon'ble Sir Harcourt Butler:**—"My Lord, I beg to lay on the table a summary\* showing the steps taken during the last two years in the various Indian provinces to promote free elementary education among the poorer classes in general, and Muhammadans in particular, which was promised in reply to a question asked by the Hon'ble Mir Asad Ali at the meeting of the Legislative Council, held on the 12th January, 1915."

## QUESTIONS AND ANSWERS.

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

Confinement  
of one  
Nogendra  
Chandra  
Chandra as  
a prisoner in  
the Multan  
Central Jail.

1. "Will the Government be pleased to state whether it is a fact :—

- (1) that a prisoner named Nogendra Chandra Chandra is now confined in the Multan Central Jail ;
- (2) that his admission weight was 123 lbs., that when he came to the Multan Jail his weight was 104 lbs., and that his weight now varies from 90 to 100 lbs.;
- (3) that he was first given *surkhi* pounding, then made to work with the well gang, and that recently he was awarded three months' bar-fetters, and with the fetters on was made to work as before with the well gang ;
- (4) that he threw himself into a well and was put into a solitary cell and given a daily task of grinding 12 seers of grain ;
- (5) that when this work was given to him he was in the convalescent gang, and that no prisoner in a convalescent gang is ordinarily given work of this description ;
- (6) that since then he has been suffering from acute pain in the chest and was awarded twenty-five stripes for not doing his full task. "

**The Hon'ble Sir Reginald Craddock** replied :—

"1. It is a fact that a prisoner Nogendra Chandra Chandra is now confined in the Multan Central Jail. He is undergoing sentences of seven years under section 121A, Indian Penal Code, and of three months' rigorous imprisonment under section 52 of the Prisons Act (1894).

2. On his first admission to jail in October, 1910, his weight was recorded as 111 pounds. On admission to the Multan Central Jail on the 28th July, 1914, his weight was 104 pounds. Since then it has varied from 98 to 103 pounds.

3. As a task he was at first given *surkhi* pounding and was subsequently put to work with the well gang. Recently he was awarded six months' bar-fetters, but was not made to work on the well while wearing them. In fact the fetters were removed from the prisoner shortly after their imposition to enable him to rejoin the well gang.

4. It is not the case that he threw himself into a well. He was relegated to separate (not solitary) confinement in pursuance of a punishment of six months' separate confinement passed upon him in October, 1914, the period of which had not expired. He was at the same time given a task of grinding twelve seers of grain.

5. He has been in the convalescent gang since July, 1914. He was medically examined and certified fit for the above mentioned task when it was given him. Such a task is commonly given to prisoners in the convalescent gang.

6. On the 12th April, 1915, he was awarded 15 stripes after having been medically examined and certified as fit to receive them. He then made no complaint of suffering from acute pain in the chest. This punishment was awarded, not for failing to turn out the full quantity of work, but for persistent refusals to do any work at all."

[8TH SEPTEMBER, 1915.]

[*Mr. Surendra Nath Banerjee ; Sir Reginald Craddock ; Rai Sita Nath Ray Bahadur ; Sir William Clark ; Mr. Huda.*]

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

2. “ (a) Do the Government propose to consider the propriety of constituting an Advisory Board of a judicial character to deal with applications for exemption from internment under the Defence of India Act, 1915 ?

Constitution of an Advisory Board of a judicial character to deal with applications for exemption from internment under the Defence of India Act.

(b) Is it the case that Mr. Asquith has announced that an Advisory Board of a judicial character is to be constituted to deal with applications even by aliens for exemption from internment under the English Defence of the Realm Act ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ (a) The answer is in the negative.

(b) It is understood that an Advisory Committee of a judicial character has been constituted in England to deal with applications by aliens for exemption from internment. For further information as to the Advisory Committee, the Hon'ble Member is referred to the official report of Mr. Asquith's speech in the House of Commons on the 13th May 1915.”

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

3. “ (a) Has the attention of Government been drawn to a newspaper report of certain observations, regarding the advance of loans to promote industries in the United Provinces and in Bengal, stated to have been made by the Hon'ble Member for Commerce and Industry in the course of an interview with the members of the Southern India Chamber of Commerce at Madras on the 9th August last ?

Loans advanced to promote industries in the United Provinces and Bengal.

(b) Is it a fact that such loans were advanced in the United Provinces and in Bengal ?

(c) If the answer to (b) is in the affirmative, will Government be pleased to state the respective amounts of such loans in the United Provinces and Bengal, and the parties to whom the same were advanced ? ”

**The Hon'ble Sir William Clark** replied :—

“ I presume the Hon'ble Member refers to an inaccurate report of my meeting with the Southern India Chamber of Commerce which appeared in the press. I made no mention of any loans having been given in Bengal for the promotion of industries. As regards the United Provinces, the advances I had in mind were those to which I referred in my speech on the Resolution moved by the Hon'ble Member on the 17th March last on the subject of the Indian Sugar industry.”

**The Hon'ble Mr. Huda** asked :—

4. “ Will the Government be pleased to state the number—

(a) of alien enemy subjects (Austrians, Germans and Turks) interned in India since the commencement of the war in Europe, and

Number of alien enemy subjects interned in India.

(b) of such enemy subjects in India that are still un-interned, giving the provinces where they reside and the avocations they are following ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ As regards Austrians and Germans, the Hon'ble Member is referred to the Communiqué issued by the Government of India on the 13th August, of which a copy is laid on the table.

Turkish subjects may be broadly classified into European Turks and Asiatic Turks. The former have been repatriated. Of the latter (including

[*Mr. Huda; Sir Harcourt Butler; Maharaja Ranajit Sinha; Sir Reginald Craddock.*] [8TH SEPTEMBER, 1915.]

the crew of a Turkish steamer, of whom some may possibly be Europeans) 97 have been interned. There are many Asiatic Turkish subjects, for the most part in Bombay and Bengal, whose sympathies with Turkey are slight, and who have been left at liberty. They number approximately 1,100.

The Government of India do not consider it necessary to call for detailed information as to the avocations of those who have not been interned."

**The Hon'ble Mr. Huda** asked :—

Christian  
Missionary  
and educa-  
tional insti-  
tutions car-  
ried on by  
Germans in  
India, and  
grants to  
such institu-  
tions.

5. "(a) Is it a fact that Germans are still carrying on Christian Missionary and educational institutions in India? If the answer is in the affirmative, will the Government be pleased to state the number of such institutions and the places where they are located?

(b) If the answer be in the negative, will the Government be pleased to state the arrangements, if any, that have been made for the continuation of these institutions?

(c) Is it a fact that such German institutions have received grants or pecuniary assistance from the Government after the commencement of the war? If the answer be in the affirmative, will Government be pleased to state the amount of money paid, from time to time, to these institutions and the names of the recipients?

**The Hon'ble Sir Harcourt Butler** replied :—

"It is a fact that Germans continued their Missionary and educational institutions in India after the outbreak of the war. The Hon'ble Member is referred to the Communiqué issued by the Home Department on the 13th August, 1915, for a statement of the policy which the Government of India have pursued towards Germans and Austrians in India. In pursuance of the recent decision to repatriate German and Austrian men of non-military age, it has become necessary to make other arrangements regarding the educational institutions at present managed by these Missions. Since therefore the whole question is at present in a transition stage, the Government of India do not consider that it would serve any useful purpose to collect detailed information regarding the number of the institutions, the places where they are located, or the names of the recipients of the grants; nor are they in a position to make any statement regarding the various arrangements which are being or may be made by Local Governments for the safeguarding of educational interests.

The amount of recurring grants ordinarily allotted from public funds to educational institutions managed by German and Austrian Missions is Rs 1,99,849 per annum. Should the Hon'ble Member desire it, a list of the Missions and institutions which have been in receipt of grants can be shown to him."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Representa-  
tion of the  
Delhi Pro-  
vince on the  
Imperial Le-  
gislative  
Council.

6. "Is it a fact that, before the creation of the Chief Commissionership of Delhi, the people of this city had the privilege of electing a member for the Local Council? If so, will the Government be pleased to consider the desirability of giving to the people of the Delhi Province the privilege of electing a representative on the Imperial Council?"

**The Hon'ble Sir Reginald Craddock** replied :—

"Prior to the constitution of the Delhi Province the Delhi Municipality elected no member of its own to the Legislative Council of the Punjab, but shared in the privileges of election enjoyed by other Municipalities in that Province. As regards the possibility of creating a fresh electorate in the Delhi Province, I would refer the Hon'ble Member to the answer given by me on the 25th February, 1913, to a somewhat similar question asked by the Hon'ble Maharaja Sir Manindra Chandra Nandi of Kasim Bazar."

[8TH SEPTEMBER, 1915.] [ *Maharaja Ranajit Sinha ; Sir Reginald Craddock* ]

**The Hon'ble Maharaja Ranajit Sinha asked :—**

7. "Is it a fact that two or more Sub-Inspectors are usually posted at every Police station? If so, do the Government propose to issue instructions to all Local Governments and Administrations to arrange that the services of the senior Sub-Inspector of each Thana may be solely utilised for investigating purposes?"

*Utilisation of the Senior Sub-Inspector of each Thana solely for investigating purposes.*

**The Hon'ble Sir Reginald Craddock replied :—**

"The recommendations of the Police Commission were in favour of placing all police-stations in charge of Sub-Inspectors, and of aiming at entrusting investigations to Sub-Inspectors only. In their Resolution of the 21st March, 1905, dealing with the report of the Commission, the Government of India endorsed this policy, and it is believed that all provinces have since been working towards it. The statistics do not support the statement that two Sub-Inspectors are generally posted at every police-station, and the policy must be affected so largely by local conditions that the Government of India do not consider that rigid instructions of the description suggested would be expedient."

**The Hon'ble Maharaja Ranajit Sinha asked :—**

8. "Will the Government be pleased to state if the officers required for the Provincial Executive and Subordinate Services for Delhi Province are solely recruited from Delhi? If not, do the Government propose to issue orders that the officers required for similar services, both in the Punjab and United Provinces, may also be recruited from Delhi?"

*Recruitment of officers for Provincial and Subordinate Executive Services.*

**The Hon'ble Sir Reginald Craddock replied :—**

"Officers of the Permanent and Subordinate Executive Services for employment in Delhi are recruited from the Punjab. In recognition of the claims of inhabitants of Delhi an arrangement has been come to with the Punjab by which the Chief Commissioner makes certain nominations annually to the list of candidates. The matter is one which does not seem to affect the United Provinces."

**The Hon'ble Maharaja Ranajit Sinha asked :—**

9. "Will Government be pleased to state how many of the vacancies caused by the deputation to the Military Department of officers of the Indian Medical Service holding appointments as Civil Surgeons have been filled by the promotion of Civil Assistant Surgeons?"

*Filling up of the vacancies in the Indian Medical Service by the promotion of Assistant Surgeons.*

**The Hon'ble Sir Reginald Craddock replied :—**

"Since the outbreak of hostilities, 84 Civil Assistant Surgeons have been temporarily promoted to act as Civil Surgeons in vacancies caused by the reversion of Indian Medical Service officers to military duty. This total does not include those Civil Assistant Surgeons who have been appointed to act as Civil Surgeons in place of Military Assistant Surgeons similarly reverted."

**The Hon'ble Maharaja Ranajit Sinha asked :—**

10. "Will the Government be pleased to state if they propose to take any action in the matter of religious and charitable endowments regarding which a Conference was held at Delhi under the presidency of the Hon'ble Sir Reginald Craddock?"

*Religious and Charitable endowments.*

**The Hon'ble Sir Reginald Craddock replied :—**

"The Hon'ble Member is referred to the Communiqué issued by the Government of India on the 23rd January 1915, a \*copy of which is laid on the table. The position remains as then explained."

[*Maharaja Ranajit Sinha ; Sir Reginald Craddock ; [8TH SEPTEMBER, 1915.]*  
*Mr. Gillan.*]

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Amendment  
of the Court-  
fees Act.

**11.** " Will the Government be pleased to state if the opinions of the Local Governments have been received regarding the proposed amendment of the Court-fees Act according to the assurance given by the Hon'ble Sir Reginald Craddock last year, when the Resolution on the subject was moved on 2nd March, 1914?"

**The Hon'ble Sir Reginald Craddock** replied :—

" Owing to the outbreak of war and the claims of more emergent legislative business, it has not yet been found possible to make the comprehensive reference to Local Governments on the subject of the amendment of the Court-fees Act which is under contemplation."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Refund of  
Court-fees  
in *ex-parte*  
cases.

**12.** " With reference to the statement made by the Hon'ble Sir Reginald Craddock in accepting my Resolution regarding refund of court-fees in *ex-parte* cases which was moved at the Imperial Legislative Council held on 2nd March, 1914, will the Government be pleased to state if the opinions of the Local Governments and Administrations on the subject have been received? If so, do the Government propose to take any action in the matter?"

**The Hon'ble Sir Reginald Craddock** replied :—

" The Hon'ble Member will see from the reply which I have just given that the point has not yet been further considered. "

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Discontinu-  
ance of the  
running of  
the Loop Mail  
on the East  
Indian Rail-  
way.

**13.** " (a) Is it a fact that a fast train called the Loop Mail used to be run on the loop line of the East Indian Railway, and that this train has been discontinued since March, 1915?"

(b) Are the Government aware that the discontinuance of the train has caused much inconvenience to people living in the vicinity of the loop line?

(c) Do the Government propose to take any action in the matter?"

**The Hon'ble Mr. Gillan** replied :—

"(a) Owing to a considerable decrease in the Coaching earnings in consequence of the outbreak of war, the East Indian Railway Administration found it necessary to cancel, with effect from 1st December 1915, the running of a mixed train in each direction between Howrah and Jamalpur, and as their discontinuance caused some inconvenience to the public at stations where the Loop Mails were not booked to stop, the Loop Mails were converted into Loop Passengers stopping at every station on and from 1st March, 1915. The average speed of the Loop Mail prior to its conversion was only about 23 miles per hour, and it was never a fast train.

(b) The Government are not aware that these alterations of the train service have caused inconvenience to the travelling public. The only complaint that the East Indian Railway Administration have received so far, is from the residents of one station who asked for the number of halts at stations between Burdwan and Howrah on the main line to be curtailed, with a view to an earlier arrival of the Down Loop Passenger train at Howrah.

(c) In these circumstances, the Government do not propose to take any action in the matter."

[8TH SEPTEMBER, 1915.]

[*Maharaja Ranajit Sinha ; Sir Reginald Craddock ; Mr. Gillan ; Mir Asad Ali.*]

**The Hon'ble Maharaja Ranajit Sinha** asked :—

14. "(a) Will the Government be pleased to furnish a statement showing the names of officers of the Provincial Judicial service holding appointments as acting or permanent Judges in the High Courts of the different provinces ?

Officers of the Provincial Judicial service holding appointments as acting and permanent Judges in High Courts.

(b) Will the Government be pleased to state if any member of the Provincial Judicial service was ever permanently appointed as a Puisne Judge of the Calcutta High Court ?

(c) Do the Government propose to fill up any vacancy in the Calcutta High Court by promotion from the Provincial Judicial service from the rank of District Judges ?"

**The Hon'ble Sir Reginald Craddock** replied :—

"I place on the table a statement" which answers the first part of the Hon'ble Member's question. It is understood that the Hon'ble Maharaja, in addition to the Chartered High Courts, refers also to Chief Courts and to Courts of Judicial Commissioners.

The answer to the second part is in the negative, and to the third that selection for a particular vacancy can only be made on a comparison of the relative merits of the candidates available at the time that it has to be filled, and with due reference to the composition of the Court. Permanent appointments to the Chartered High Courts, it may be added, are made by the Crown."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

15. "(a) Is it a fact that trains on the Bengal and North-Western Railway generally do not run according to the scheduled time, and that there is at present no fast train on that Railway ?

Improvement in the working of the Bengal and North-Western Railway.

(b) Is it a fact that there is no regular platform at most of the stations on the said line ?

(c) If so, will the Government be pleased to state if they propose to take steps with a view to improving the working of the said Railway ?"

**The Hon'ble Mr. Gillan** replied :—

"(a) The information before the Railway Board indicates that the Bengal and North-Western Railway use every endeavour to maintain the punctuality of their different services. The Company are peculiarly situated in that their trains run through many junctions, a large proportion of which are foreign. The maintenance of the punctuality of their trains does not therefore rest solely with themselves.

(b) By regular platforms it is presumed that raised platforms are meant. The Railway Board are advised by their Senior Government Inspector that these have been provided where required by the traffic.

(c) The answer is in the negative.

The Government do not propose to take any action, but if the Hon'ble Member has any particular case to bring to the notice of the Railway Board in which the public interest is thought to have been neglected on the Bengal and North-Western Railway, it will be investigated."

**The Hon'ble Mir Asad Ali** asked :—

16. "Will Government be pleased to state—

(a) whether it is a fact that the Government-of-India-rupee is allowed free import in the Straits Settlements, given its full value of sixteen annas, and circulated freely without loss to persons importing it ?

Import into India of Straits silver dollar free of duty.

[ *Sir William Meyer ; Mir Asad Ali ; Sir  
Reginald Craddock ; Sir William Clark.* ]

[8TH SEPTEMBER, 1915.]

(b) if so, whether Government propose to make a similar concession of allowing import into India, free of duty, in the case of Straits silver dollars ?”

**The Hon'ble Sir William Meyer** replied :—

“(a) As far as the Government of India are aware no import duty is levied on silver imported, whether as coin or bullion, into the Straits Settlements. The rupee is not the standard coin of that colony and, though it is understood to be used there to some extent, the Government of India are not in a position to state the conditions under which it circulates.

(b) The answer to the second part of the question is in the negative.”

**The Hon'ble Mir Asad Ali** asked :—

17. “ Will Government be pleased to state—

General revision of the pay of lower paid clerks in the several departments of the Government of Madras.

(a) whether they are aware of any proposals under consideration by the Government of Madras for the general revision of the pay of lower paid clerks in the several departments of that Government ?

(b) whether they propose to consider the advisability of consulting Local Governments as to the necessity for a general revision of the pay of lower paid clerks ?”

**The Hon'ble Sir Reginald Craddock** replied :—

“(a) Beyond some recent proposals for the raising of the pay of clerks in the Registration Department, the Government of India are not aware of any general scheme of revision under consideration by the Government of Madras.

(b) The attention of the Hon'ble Member is invited to the answer given to a very similar question asked by the Hon'ble Sardar Daljit Singh at the meeting of the Imperial Legislative Council on 3rd February, 1914. ”

**The Hon'ble Mir Asad Ali** asked :—

18. “ Will the Government be pleased to state—

Levy of fees under Act VII of 1913.

(a) whether it is a fact that in the matter of the levying of fees under the Indian Companies Act, 1913 (VII of 1913), an Indian Company is taxed upon registration or when recording or registering certain documents more than an English Company with the same capital ?

(b) whether it is a fact that while an English Company is exempted from paying any fee for filing documents an Indian Company under the present Act is required to pay a fee of Rs. 5 for each document filed ?

(c) if the answers to the above questions are in the affirmative, whether the Government propose to consider any measure to obviate this differentiation between an English and an Indian Company ?”

**The Hon'ble Sir William Clark** replied :—

“ All companies to which the Indian Companies Act applies are liable to payment of the same fees for acts which they are required to do under that enactment. No distinction is drawn under that Act between companies registered in England and those registered in British India, or between companies owned by English and those owned by Indian shareholders.

It is the case, however, that the fees for registration and filing of documents in England prescribed by the English Company law are somewhat lower than those prescribed by the Indian Companies Act.

The Government of India have at present under consideration the question of reducing the fees payable under the Indian Companies Act.”

[8TH SEPTEMBER, 1915.] [*Mir Asad Ali ; Sir William Clark ; Mr. J. H. Abbott ; Sir Reginald Craddock ; Sir Harcourt Butler.*]

**The Hon'ble Mir Asad Ali** asked :—

**19.** “ Will Government be pleased to state :—

(a) whether they have received a copy of the Resolutions passed at the eleventh session of the All-India Temperance Conference which was held at Madras in December last ?

(b) if so, what action, if any, they propose to take thereon, as regards Resolutions III and IV ?”

Resolutions passed at the eleventh session of the All-India Temperance Conference held at Madras in December, 1914.

**The Hon'ble Sir William Clark** replied :—

“ As regards the first question, Government have received no information regarding the proceedings of the 11th session of the All-India Temperance Conference held in Madras last December, other than that contained in the local press.

As regards the second question, it is understood from the press that the third and fourth Resolutions dealt with questions relating to the powers and functions of Advisory Committees, and with measures further to restrict consumption. The policy of Government in regard to most of these questions is stated in the Excise Resolution of the 25th July 1914 and its enclosures to which I may refer the Hon'ble Member.

The only point not covered by the Resolution and its annexures is that relating to the prohibition of temporary licenses at fairs, festivals and melas and during public holidays. With regard to this, the grant of temporary licenses on such occasions is, under existing orders, already restricted to such extent as local conditions permit.”

**The Hon'ble Mr. J. H. Abbott** asked :—

**20.** “Do the Government propose to consider whether European and Anglo-Indian Inspectors of Police, of proved merit and ability, may not be more freely promoted to the office of Deputy Superintendent of Police than is the case at present ?”

Promotion of Anglo-Indian Inspectors of Police to Deputy Superintendents of Police.

**The Hon'ble Sir Reginald Craddock** replied :—

“The promotion of Inspectors, whether European, Anglo-Indian or Indian, to be Deputy Superintendents of Police is a matter within the discretion of the Local Governments, and the Government of India do not think it necessary to issue any general instructions with the object indicated by the Hon'ble Member.”

**The Hon'ble Mr. J. H. Abbott** asked :—

**21.** “ Do the Government propose to consider the expediency of—

(a) establishing a Training College for men in the United Provinces on the same lines as that established at Sanawar,

(b) establishing a similar College in the Bombay Presidency, and

(c) establishing similar colleges in each Presidency and Province where these do not already exist ?”

Establishment of a Training College for men in the United Provinces.

**The Hon'ble Sir Harcourt Butler** replied :—

“ The question of the establishment of one or more additional training colleges was considered at the Conference on the education of the Domiciled

[*Mr. J. H. Abbott; His Excellency the Commander-in-Chief; Sir Reginald Craddock; Sir Harcourt Butler.*] [8TH SEPTEMBER, 1915.]

Community in India held at Simla in July 1912 It was pointed out, in the course of discussion, that the number of trained teachers annually required for India is limited. The Government of India are in agreement with the views expressed in Resolution IV of that Conference. Difficulties have arisen regarding the establishment of a college at Bangalore; but proposals are on foot for the establishment of a college at a suitable site in the Madras Presidency. The Government of India are not of opinion that it is necessary to establish similar colleges at present in the United Provinces, in the Bombay Presidency or elsewhere."

**The Hon'ble Mr. J. H. Abbott asked :—**

Increased rate of pay sanctioned for the Indian Subordinate Medical Department.

**22.** "(a) Will the Government be pleased to state whether the increased rate of pay recently sanctioned for the Indian Subordinate Medical Department also carries with it a corresponding increase of pension?"

(b) If the answer to part (a) is in the affirmative, has the Government notified the fact to the public and those concerned, or does it propose to do so?"

**His Excellency the Commander-in-Chief replied :—**

"The answer to clause (a) is in the negative.

The answer to clause (b) does not arise."

**The Hon'ble Mr. J. H. Abbott asked :—**

Anglo-Indian Settlements in India.

**23.** "Will the Government be pleased to state whether they propose to consider the advisability of aiding and supporting Anglo-Indian Settlements in India and encouraging British Soldiers and Territorials on the completion of their service to settle in them?"

**The Hon'ble Sir Reginald Craddock replied :—**

"I am afraid the question is in too vague a form to permit of a definite reply. Speaking generally there would not seem to be much room for action on the lines indicated. The extent to which the settlement of particular communities on land can properly receive encouragement at the hands of Government is a question with which Local Governments are primarily concerned".

**The Hon'ble Mr. J. H. Abbott asked :—**

Scholarships reserved for Anglo-Indians.

**24.** "Will Government be pleased to state what, if any, steps are taken to prevent scholarships reserved for the Anglo-Indian community being given to Indians with English names?"

**The Hon'ble Sir Harcourt Butler replied :—**

"Under the provincial Codes for European Schools, scholarships treated of in those Codes are reserved for Europeans, and it is incumbent on Local Governments, in all cases of doubt, to decide the proper application of that term as defined. The Government of India are not aware that any special steps have been found necessary to prevent the result alluded to by the Hon'ble Member."

QUESTIONS AND ANSWERS ; THE INDIAN TRUSTS (AMEND- 11  
MENT) BILL.

[8TH SEPTEMBER, 1915.]

[*Mr. J. H. Abbott ; His Excellency the Com-  
mander-in-Chief ; Sir Reginald Craddock.*]

**The Hon'ble Mr. J. H. Abbott** asked :—

- 25.** “ Will the Government be pleased to state the number of temporary or other Commissions granted during the war to :—
- (a) Warrant and Non-Commissioned Officers, Combatant Ranks.
- (b) Warrant and Non-Commissioned Officers, Supply and Transport Corps.
- (c) Warrant and Non-Commissioned Officers, Ordnance Department.
- (d) Commissioned and Warrant Officers of the I. S. M. D.
- (e) Civil Practitioners in India in the I. M. S ”
- Number of temporary or other Commissions granted during the war.

**His Excellency the Commander-in-Chief** replied :—

- “ (a) 214 combatant warrant and non-commissioned officers have received temporary commissions in India ;
- (b) None at present ; but seven names are under consideration ;
- (c) None at present ; but four names are under consideration ;
- (d) No temporary commissions have been granted ;
- (e) 113 commissions have been granted.”

**The Hon'ble Mr. J. H. Abbott** asked :—

**26.** “ Is it a fact that there are no arrangements for the training and employment of Domiciled European and Anglo-Indian lads in the British Navy ?”

Employment of Anglo-Indians in the Navy.

If so, do the Government propose to consider the expediency of addressing the authorities in the United Kingdom with a view to securing that such arrangements are made ?”

**His Excellency the Commander-in-Chief** replied :—

“ Men and boys recruited for the British Navy have to undergo training in establishments in the United Kingdom, and there are no arrangements for sending home recruits from India.

The Government of India do not propose to take up the question at the present time.”

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**THE INDIAN TRUSTS (AMENDMENT) BILL.**

**The Hon'ble Sir Reginald Craddock** :—“ My Lord, I move for leave to introduce a Bill to amend the Indian Trusts Act, 1882.

“ The object of this Bill is to extend the powers of trustees in the matter of the investment of trust funds somewhat on the lines of the English Act of 1893.

“ Section 20 of the existing Indian Trusts Act of 1882, unlike the English Act, does not allow the investment of trust funds in Indian Sterling Stock. It is proposed to remedy this defect.

“ The Bill also extends the powers of trustees to invest trust funds in the securities of railways of which the interest is guaranteed by the Government of India. At present this power only applies to railways in which the interest is guaranteed by the Secretary of State. The Bill also lays down the rates at

[*Sir Reginald Craddock.*]

[8TH SEPTEMBER, 1915.]

which trustees may purchase such securities when they are redeemable at par or at some specified rate. On the other hand, it takes away the power of trustees to invest interminable annuities without sinking funds. Future investments, therefore, in trust funds in this class of security will no longer be permissible, but the case of investments already made under the powers given by the existing Act is saved.

"These modifications in the existing law are, I think, such as are likely to commend themselves to the Council, and I beg to move, therefore, for leave to introduce the Bill."

The motion was put and agreed to.

**The Hon'ble Sir Reginald Craddock :—**"My Lord, I beg to introduce the Bill, and to move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the local official Gazettes in English and in such other languages as the Local Governments think fit."

The motion was put and agreed to.

## THE INDIAN SOLDIERS (LITIGATION) BILL.

**The Hon'ble Sir Reginald Craddock :—**"My Lord, I move for leave to introduce a Bill to provide for the special protection in respect of civil and revenue litigation of Indian Soldiers serving under war conditions.

"This Bill repeals and re-enacts, with small additions, the Indian Soldiers Litigation Ordinance, II of 1915, which was issued by the Governor General on the 5th of May last. The only reason why this legislation took the form of an Ordinance, in the first place, instead of a Bill was that its terms required much correspondence and consultation in order that the measure might best serve the objects in view. The terms were not settled in time for a Bill to be introduced before the close of the last Delhi sessions of this Council, hence the present Bill to re-enact the Ordinance which would otherwise expire in November, and to put it permanently upon our Statute-book.

"The main objects sought to be secured are that cases to which Indian soldiers are parties should not be proceeded with unless their adequate representation in such proceedings has been secured, and that power should be given to the Courts to set aside decrees or orders passed when these conditions had not been observed. A further privilege conferred is the exclusion of any period of service under war conditions from the period of limitation. The changes made in the Bill from the terms of the Ordinance are those necessary in a permanent enactment as distinct from a temporary one. It has been the common complaint that, when Indian soldiers are serving under war conditions, advantage is often taken of their absence by creditors or other claimants to sue them in circumstances when they are unable properly to defend their suits. They may similarly be prejudiced as plaintiffs, being unable on account of their absence to prosecute a suit properly within the period of limitation. Representations have been made by regimental and military authorities in the past on occasions when Indian soldiers were absent with expeditionary forces. The present great war, however, in which the numbers of Indian soldiers serving under war conditions at home and abroad have attained totals quite unprecedented and unexpected, has brought these difficulties into greater prominence, and the Ordinance of May last and this Bill, which seeks to put it into permanent shape, have been designed to meet these difficulties.

"The term 'Indian soldier' will include any person subject to the Indian Army Act, and the Governor General in Council is given power to declare what is service under war conditions both inside and outside India, both during the

THE INDIAN SOLDIERS (LITIGATION) BILL ; THE REPEALING AND AMENDING BILL ; THE NORTH-WEST FRONTIER CONSTABULARY BILL. 13

[8TH SEPTEMBER, 1915.]

[*Sir Reginald Craddock ; Sir Ali Imam ; Mr. Grant.*]

present war and afterwards on any future occasion when the necessity of protecting Indian soldiers on active service may arise. The last clause of the Bill, which is an addition to the Ordinance, takes notice of the fact that there are certain classes of servants of the Crown who are not technically within the definition of the term 'Indian soldier,' although it is possible that they may have a claim to protection of the same nature. Clause 12, therefore, gives power to the Governor General in Council to extend the protection conferred by the Bill to persons of this class.

"I feel quite sure that this Council will heartily approve of a measure designed to benefit the brave soldiers of the Indian Army now fighting in the cause of the Empire in three continents of the world."

The motion was put and agreed to.

**The Hon'ble Sir Reginald Craddock :—**"I now introduce the Bill, and move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

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**THE REPEALING AND AMENDING BILL.**

**The Hon'ble Sir Ali Imam :—**"My Lord, I move for leave to introduce an Amending and Repealing Bill. It is a small and formal measure involving no material change in the existing law. The reasons for the amendments are explained in the 5th column of the Schedule attached to the Bill, copies of which will be placed before Hon'ble Members. In this Bill opportunity has also been taken to repeal some superfluous words in another Act, VIII of 1915. I move for leave to introduce the Bill."

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam :—**"My Lord, I beg to introduce the Bill, and to move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

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**THE NORTH-WEST FRONTIER CONSTABULARY BILL.**

**The Hon'ble Mr. Grant :—**"My Lord, I move for leave to introduce a Bill to provide for the regulation of the Frontier Constabulary in the North-West Frontier Province. In the year 1904 an Act (the North-West Frontier Border Military Police Act, IV of 1904), was passed to provide for the regulation of the Border Military Police Force in that Province. This Force was, however, abolished under sanction conveyed by His Majesty's Secretary of State for India in December, 1914, and its place was taken by a new Force entitled 'The Frontier Constabulary.' The main object of the present Bill is to re-enact and apply the provisions of the North-West Frontier Border Military Police Act of 1904 to this new Force, and, further, to embody in the Bill certain provisions of the Indian Army Act of 1911, which experience has shown may suitably be applied to the Frontier Constabulary. The constitution of the new Force also differs in many particulars from that of the old Border Military Police, and on this account it has been necessary to introduce some new features into the Bill to regularize the administrative control. The Bill thus contains nothing of a novel character, though the necessity for passing it is

14 THE NORTH-WEST FRONTIER CONSTABULARY BILL; THE  
SIR JAMSETJEE JEJEEBHoy BARONETCY BILL.

[*Mr. Grant ; Sir Ali Imam.*]

[8TH SEPTEMBER, 1915.]

somewhat urgent in view of the desirability of conferring on the Local Government of the North-West Frontier Province and the officers concerned the necessary powers to deal on regular lines with questions of discipline and the general administration of the Constabulary. There is no element of contention in the Bill, and I feel confident that the Council will be able to support it without controversy."

The motion was put and agreed to.

**The Hon'ble Mr. Grant :—**"My Lord, I now introduce the Bill, and move that it, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the North-West Frontier Province Government Gazette in English, and in such other languages as the Local Administration thinks fit.

"I may mention that, if this motion is agreed to, I propose at a subsequent meeting during the present session of Council to move that this Bill be taken into consideration and passed."

The motion was put and agreed to.

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**THE SIR JAMSETJEE JEJEEBHoy BARONETCY  
BILL.**

**The Hon'ble Sir Ali Imam :—**"My Lord, I beg to move that the Bill to re-settle the endowment of the Baronetcy conferred on Sir Jamsetjee Jejeebhoy be taken into consideration.

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** moved that after clause 27 the following clause be inserted, namely :—

"28. The person for the time being entitled to, and in the enjoyment of the title of Baronet conferred by the said Letters Patent as aforesaid, shall have power, with a view to the more advantageous sale of the land occupied by the said Mansion House and other hereditaments, called Mazagon Castle, in pursuance of the powers in that behalf conferred by section 10, and, notwithstanding anything in this Act contained to the contrary, to enter into an arrangement with the Government of Bombay whereby, in consideration of the waiver in perpetuity by the Government of Bombay of their right to enhance the amount of the assessment to land-revenue for the time being payable in respect of the land occupied by the said Mansion House and other hereditaments, called Mazagon Castle, either the amount of the assessment to land-revenue payable in respect of any land which may be purchased in pursuance of the power in that behalf conferred by section 8, may be enhanced, or an assessment to land-revenue of any land so purchased, which at the time of the purchase thereof shall not be liable to the payment of land-revenue, may be imposed thereon."

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** moved that clauses 28 and 29 of the Bill be re-numbered '29' and '30', respectively.

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** moved that the Bill, as amended, be passed.

The motion was put and agreed to.

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[8TH SEPTEMBER, 1915]

[*Sir William Clark ; Sir Harcourt Butler.*]

## THE INLAND STEAM-VESSELS (AMENDMENT) BILL.

**The Hon'ble Sir William Clark** moved that the Bill further to amend the Inland Steam-Vessels Act, 1884, be referred to a Select Committee, consisting of the Hon'ble Sir Ali Imam, the Hon'ble Sir William Vincent, the Hon'ble Mr. Kesteven, the Hon'ble Sir Fazulbhoj Currimbhoy, the Hon'ble Rai Sita Nath Ray Bahadur, the Hon'ble Mr. Low, the Hon'ble Mr. Stewart and the mover.

He said :—"Hon'ble Members will recollect that this Bill was introduced in the last session of Council. Since then it has been circulated and opinions have been received from those interested in the Bill. While these unanimously approve the principles of the Bill, there have been certain suggestions made for amendments in matters of detail which will be considered in Select Committee."

The motion was put and agreed to

## THE BENARES HINDU UNIVERSITY BILL.

**The Hon'ble Sir Harcourt Butler** moved that the Bill to establish and incorporate a teaching and residential Hindu University at Benares be referred to a Select Committee, consisting of the Hon'ble Sir Ali Imam, the Hon'ble Sir G. M. Chitnavis, the Hon'ble Pandit Madan Mohan Malaviya, the Hon'ble Mr. Kesteven, the Hon'ble Mr. Sharp, the Hon'ble Maharaja Sir ~~Manindra Chandra~~ Nandi of Kasim Bazar, the Hon'ble Mr. Surendra Nath Banerjee, the Hon'ble Mr. Cobb, the Hon'ble Lieutenant-Colonel Gurdon, the Hon'ble Dr. Sundar Lal, and the mover.

He said :—"I need not detain the Council at any length this morning. We have reached a further, but not the final, stage in the promotion of an Hindu University at Benares. It is hardly necessary to remind Hon'ble Members of the reason which induced the Government to proceed with this measure during the war, namely, that there was a very strong desire on the part of the promoters that this Bill should be passed into law during the Viceroyalty of Lord Hardinge with whose name the University will ever be associated, and to whose consistent encouragement and support the success of the movement is, in no small measure, due. Your Excellency was graciously pleased to accede to the request of the promoters in this respect, and I am very glad to be able to say that the negotiations have proceeded on lines which, I think, are worthy and practical, and that there is a general desire in this Council that the Bill should become law during Your Excellency's memorable term of office. It is not that there are not differences of opinion about the Bill. A great many people would like to see another form of constitution and other detailed provisions, but differences of opinion need not result in controversy, and I hope that the Bill will remain a non-controversial measure. In all the statements of opinion—and they are numerous and weighty—I can find no desire to treat this as a controversial measure, and so necessitate its withdrawal. On the contrary, I see a desire to recognise that the promoters of this movement have achieved a great success which reflects credit on India, and I think that I shall not be far from the general sense of this Council when I say that we shall all feel glad and rather proud if, during the greatest war in history, we can place upon the Statute-book a measure creating a new kind of University in India, which owes its existence to non-official effort. The Bill is not an ordinary Bill. It is in the nature of a private Bill which has been taken over by Government, and which is designed to meet, as far as possible, the wishes of the promoters, who have collected large sums of money from the public, amounting, I understand, already to over 50 lakhs of rupees, on certain understandings and with certain objects in view. I

[ *Sir Harcourt Butler* ]

[8TH SEPTEMBER, 1915.]

wish to make it quite clear that the constitution is in no sense a constitution provided by Government. The attitude of the Government has throughout been this, that they desire to help the promoters in every possible way, subject only to those conditions without which neither the Secretary of State nor the Government of India could contemplate the existence of a new University of this kind. In accordance with this attitude, it has been our desire to put upon the Select Committee members of the Hindu community who are interested in the Bill. There are one or two names which we would have liked to have seen added, but the Hon'ble Members in question were unable to attend.

“ With these few remarks, I beg to move the motion.”

The motion was put and agreed to. .

The Council adjourned to Wednesday, the 22nd September, 1915.

W. H. VINCENT,

*Secretary to the Government of India,*

*Legislative Department.*

SIMLA,

*The 14th September, 1915.*

## APPENDIX A.

*Statement showing the number of colonials employed in Government service in British India, the colonies to which they belong and the services or departments in which they are employed.*

Services or Departments.	NUMBER OF OFFICERS BORN OF FATHERS NATIVE OF OR DOMICILED IN.					REMARKS.
	South Africa.	Canada.	Australia.	New Zealand.	Total.	
Indian Civil Service ... ..	3	1	5	5	14	
Provincial Civil Service ... ..	...	...	1	...	1	
Police Department (Imperial and Provincial).	1	1	5	...	7	
Customs Department (Provincial) ...	...	1	1	...	2	
Agricultural Department ... ..	...	...	1	...	1	
Forest Department ... ..	2	...	1	1	4	
Educational Department (Imperial and Provincial).	...	1	3	2	6	
Public Works Department ... ..	1	1	2	1	5	
Pilot Service ... ..	...	...	1	...	1	
Indian Medical Service ... ..	3	7	4	3	17	
Survey of India .. ..	...	3	...	...	3	
Military Accounts Department ...	...	...	1	...	1	
Indian Post Office ... ..	...	1	...	...	1	
State Railway Department ... ..	...	...	2	...	2	
Ecclesiastical Service ... ..	...	...	2	...	2	
Total ... ..	10	16	29	12	67	

**APPENDIX B.**

[*Referred to in the Answer to Question No. 4.*]

**COMMUNIQUE.**

As some misapprehension appears to exist regarding the action taken by the Government of India since the outbreak of war with Germany and Austria to control the movements of subjects of these nations in this country, the following statement is issued for general information.

On the 4th August, 1914, the registration of all Germans and Austrians at defended ports was ordered to be effected, and on the 8th idem the registration of persons of these nationalities was made general throughout the country. At the same time all were placed under police surveillance, and the extension of sections 5 *et seq.* of the Foreigners Act, 1864, was notified throughout British India, thus preventing these hostile foreigners from travelling without permission.

On the 12th August, the exemption enjoyed by Germans and Austrians under the Arms Act was cancelled, and their disarmament was ordered.

On the 20th August, the Foreigners Ordinance, 1914, was promulgated, which gave power to prohibit or regulate the entry, departure and residence of foreigners in British India, and on the 22nd idem, these powers were delegated to the military authorities with reference to Germans aged not less than 20 or more than 39, and Austrians aged not less than 21 or more than 33. [On the 7th October, when it was known that the military ages in Germany and Austria had been extended, these age limits were put at 17 and 45 years in the case of Germans, and 19 and 42 in the case of Austrians]. As regards all other hostile foreigners of these nationalities Local Governments were similarly empowered, with instructions to exercise such degree of control as circumstances might demand; written paroles vouched for by responsible British subjects were allowed to be taken, though a free hand was reserved to resort to more drastic measures should that be required. The departure from British India of hostile foreigners of military age was prohibited, and that of others restricted to certain ports and dates,

In the case of those of military age the net result of these orders has been their removal (unless for special reasons exceptions were permitted) to the prisoners of war camp at Ahmednagar. The latest figures show 1,143 persons as there interned.

As regards those outside the military ages, although the general policy followed as regards all has been the same, namely, that they should be subjected to whatever degree of restraint was requisite to ensure that they were unable to do harm to the State, orders were issued on the 2nd September that missionaries who were not considered to be obnoxious or dangerous might remain on parole at their posts so long as they continued to be of good behaviour, although failing the observance of this condition other measures were to be resorted to. This was in accordance with the answer in Parliament given by the Under-Secretary of State for India on the 27th August, 1914, to the effect that His Majesty's Government were confident that sympathetic consideration would be extended to German and Austrian missionaries who were engaged in purely religious work.

On these lines Local Governments have since been proceeding, discretion as to individual cases having been left to them. As a general statement it may be said that it has been found necessary in a number of instances to make the restraints more strict than was at first directed, but this has been done on consideration of individual facts and circumstances. It is true that on the 23rd May, 1915, the Government of India ordered the movements of all foreigners to be restricted to the narrowest possible limits, but provincial action as regards persons to whose conduct objection has been taken has mainly consisted in their removal to Ahmednagar (if of military age) or otherwise their concentration at various centres in civil charge, thus ensuring their removal from their normal place of residence and the exercise of a closer supervision than is possible in the case of scattered individuals.

The latest figures available show the following details regarding German and Austrians in civil charge :—

Province.	NUMBERS CONCENTRATED AT VARIOUS CENTRES AWAY FROM THEIR HOMES.						NUMBERS RESIDENT AT THEIR NORMAL PLACE OF RESIDENCE.					
	MISSIONARIES.			OTHERS.			MISSIONARIES.			OTHERS.		
	Men.	Women.	Children.	Men.	Women.	Children.	Men.	Women.	Children.	Men.	Women.	Children.
Madras ...	24	68	57	...	...	...	...	...	127*	...	...	...
Bombay ...	40	9	10	65	81	34	72	16	...	15	113	...
Bengal ...	...	...	...	41	11	19	12	24	...	24	43	9
United Provinces ...	...	...	...	...	...	...	6	52	...	16	16	7
Punjab ...	2	5	...	7	9	...	...	...	...	...	...	...
Burma ...	...	...	...	1	2	3	5	9	...	10	14	...
Bihar and Orissa ...	14	34	43	...	...	...	20	36	...	7	2	2
Central Provinces ...	13	4	...	...	2	2	6	7	...	...	1	...
Assam ...	1	...	...	3	...	...	...	...	...	2	...	...
Total	94	120	110	117	55	58	121	144	...	74	194	18
Grand totals	324			230			265			286		
Grand total of all classes	†127 unspecified.											
	1,232											

\* Details as to the composition of this figure are not available.

It will be apparent from what has been already said that these figures have been and are liable to fluctuation from time to time according as alteration in the treatment of individuals has been found necessary. The Bombay figures, in particular, were compiled some time ago, while the concentration of missionaries in Bihar and Orissa is understood still to be in progress.

Circumstances have now however changed. The prolongation of the war and the methods of savagery adopted by Germany in the conduct of it have engendered feelings of bitterness which cannot be ignored. This is inevitably reflected in the attitude of Germans and Austrians in India towards the British administration, while the strain of exercising supervision over them is bearing heavily on officers already fully employed with other duties.

The Government of India, with the approval of the Secretary of State, have accordingly decided to adopt a general policy of repatriating all German and Austrian women and children and men of non-military age who are not interned as prisoners of war at Ahmednagar, and this will be effected as soon as the necessary arrangements can be completed.

As bearing on the subject it may be of public interest to note that the Secretary of State for Home Affairs stated in the House of Commons on the 27th July that the Repatriation Committee had repatriated from the United Kingdom, since this policy was adopted there, 6,802 alien enemies (including children). Of 14,117 applications presented to the Internment Committee, 7,325 had been refused, and 6,092 granted, while 700 were pending. Consideration had been shown to Austrians and Hungarians in recognition of the fact that British subjects in Austria Hungary had been treated with much more leniency than in Germany.

Connected with the general question is the matter of the grants which German and Austrian missions had prior to the war been receiving from public and local funds. As is known, these institutions had in various instances been conducting educational and philanthropic enterprises, particularly among the backwards races, of benefit to the community, and they had been legitimately assisted from public revenues. On the 15th June, however, orders were issued that all such subsidies should be discontinued.

The question whether anything further is required to safeguard the State from danger from the presence of naturalised Germans and Austrians is engaging the attention of the Government of India in consultation with Local Governments. Effective powers of control have already been taken under the Defence of India Act and the rules made thereunder. In the United Kingdom, the subject has been treated on the following lines. No distinction has been made between naturalised aliens originally of hostile nationality who can establish denationalisation in their country of origin and those who cannot do so, and as regards those who have statutory rights to continue as British subjects the *prima facie* presumption has been that they should not be subjected to special treatment, unless their attitude or action is shown to be hostile. Action can be initiated either by the military authorities or by the police to establish the need of special treatment and such restrictions are then imposed (extending, if need be, to internment) as the circumstances of each case demand.

The foregoing statement does not deal with such measures of supervision as censorship, etc., which affect others besides hostile foreigners. Neither does it touch upon the action taken in respect of hostile trading.

HOME DEPARTMENT,

(POLITICAL);

Simla, the 13th August 1915.

**APPENDIX C.***(Referred to in the Answer to Question No. 10.)***COMMUNIQUE.**

As is generally known, the subject of the administration of religious and charitable endowments in this country has, for some time past, been occupying the attention of Government, and private Bills on the subject have actually been promoted in Madras by Diwan Bahadur L. A. Govindaraghava Ayyar in conjunction with Mr. (now the Hon'ble Justice) Seshagiri Ayyar, and in Bombay by the Hon'ble Sir Ibrahim Rahimtoola. The Government of India had the advantage of discussing the whole question with a mixed conference of officials and non-officials held at Delhi on the 16th March 1914, and the general conclusions then arrived at were made public in a Communiqué dated the 17th March, 1914. As intimated at that time, the Secretary of State was addressed, and His Lordship has now approved of the proposal of the Government of India, that at a convenient season Imperial legislation should be undertaken dealing with certain main aspects of the matter which, it is thought, may appropriately be provided for in all provinces. Such a Bill will now be drafted, although its introduction is improbable until after the close of the war. Pending its becoming law, it would obviously be inconvenient for separate Provincial legislation to proceed on the same subject.

**H. WHEELER,***Secretary to the Government of India.***HOME DEPARTMENT:***Delhi, the 23rd January 1915.*

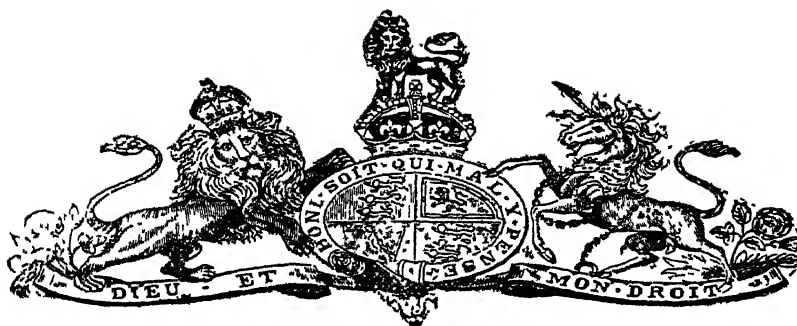
**APPENDIX D.***(Referred to in the Answer to Question No. 14.)*

*Statement showing the members of the provincial judicial service at present holding permanent or acting Judgeships in the High Courts of the various provinces.*

1. The Hon'ble Mr. Justice Sadasiva Ayyar, B.A., M.L., Diwan Bahadur, Puisne Judge, High Court, Madras.
2. The Hon'ble Mr. Justice C.V. Kumaraswami Sastri, B.A., B.L., Diwan Bahadur, Temporary Additional Judge, High Court, Madras.
3. The Hon'ble Justice Sir P. C. Banerji, B.A., B.L., J.P., Puisne Judge, High Court, Allahabad.
4. The Hon'ble Mr. Justice Muhammad Rafiq,\* Barrister-at-Law, J.P.,  
Puisne Judge, High Court,  
Allahabad.  
\* Appointed *qua* barrister.
5. Pandit Kanhaiya Lal, M.A., L.L.B., Rai Bahadur, Second Additional Judicial Commissioner, Oudh.
6. Mr. H. J. Stanyon,† C.I.E., Barrister-at-Law, Second Additional Judicial  
Commissioner, Central Provin-  
ces.  
† Appointed *qua* barrister.

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*N.B.*—There are no members of the provincial judicial service holding Judgeships, acting or permanent, in the High Courts in other Provinces.



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA  
ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS  
UNDER THE PROVISIONS OF THE INDIAN COUNCILS ACTS, 1861 to 1909  
(24 & 25 Vict., c. 67, 55 & 56 Vict., c. 14, AND 9 Edw. VII, c. 4).

The Council met at the Council Chamber at Viceregal Lodge, Simla, on  
Wednesday, the 22nd September, 1915.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 46 Members, of whom 39 were Additional Members.

QUESTIONS AND ANSWERS.

**The Hon'ble Mr. J. H. Abbott** asked :—

1. "(a) Do the Government propose to consider the question of house-rent allowance to members of the Local Service of the Telegraph Department ?

House-rent allowance to members of the Telegraph Department.

(b) Is it a fact that until recently all members of the Department, irrespective of whether they belonged to the General or Local Service, were in receipt of house-rent allowance ?"

**The Hon'ble Sir William Clark** replied :—

"The answer to both parts of the Hon'ble Member's question is in the negative. I would, however, add, with reference to the second part of his question, that, prior to the 1st March 1913, house-rent allowances in lieu of free quarters were admissible to European and Anglo-Indian members of the Signalling Establishment of the Indian Telegraph Department, irrespective of whether they belonged to the General Service or to the Local Service."

**The Hon'ble Mr. J. H. Abbott** asked :—

2. "(1) Is it a fact—

(a) that, under the new rules, Military Assistant Surgeons will pass out of College at an average age of 23 years ;

Discharge of Military Assistant Surgeons from service.

[*Mr. J. H. Abbott; His Excellency the Commander-in-Chief; Sir Harcourt Butler.*] [22ND SEPTEMBER, 1915.]

In view of the reply to (b), it does not appear to be necessary for the Government of India to address the Secretary of State on the subject, as suggested in (c). ”

**The Hon'ble Mr. J. H. Abbott** asked :—

Grant of  
Commis-  
sions to Mil-  
itary Assist-  
ant Sur-  
geons.

7. “(a) Is it a fact that hitherto no Commissions in the Indian Medical Service have been granted to Military Assistant Surgeons ?

(b) If so, is it a fact that this has produced a grave feeling of discontent among officers of this class ?”

**His Excellency the Commander-in-Chief** replied :—

“ (a) The answer is in the affirmative.

(b) The Government of India have no information on the subject.”

**The Hon'ble Mr. J. H. Abbott** asked :—

Cambridge  
Examina-  
tions.

8. “ (a) Is it a fact that the Cambridge Senior Examination is considered a sufficient test for the purposes of admission into the Universities and the public service in the North of India, whereas it is not recognised for such purposes by the University or the Government of the Southern Presidency ?

(b) If so, will the Government be pleased to state the reason for this difference ? ”

**The Hon'ble Sir Harcourt Butler** replied :—

“ (a) It is understood that the Hon'ble Member alludes to the Cambridge Senior Local Examination. A pass in this examination (in some cases with conditions regarding the subjects in which a pass is obtained) is recognised as admitting to University courses by the Universities of Calcutta, Bombay, the Punjab and Allahabad. The Syndicate of the University of Madras are empowered, by regulation, to recognise other examinations as equivalent to the Matriculation Examination of that University. It is understood that the Syndicate of that University accept the Cambridge Senior Local Examination as admitting to the Arts course, provided it is passed at centres outside of India and Ceylon.

(b) The Government of India are not aware of the reason which has influenced the Syndicate of the University of Madras in making this decision.

(c) That portion of the Hon'ble Member's question, which relates to the acceptance of the same test for admission to the public service, is too vague to permit of a reply. ”

**The Hon'ble Mr. J. H. Abbott** asked :—

Employment  
of Anglo-  
Indian pen-  
sioners for  
the manufac-  
ture of muni-  
tions.

9. “(a) Is it a fact that there are residing in India a large number of Domiciled European and Anglo-Indian pensioners who, before retirement, were connected with the Railway, Telegraph, Police, Salt and Forest Departments and with the Civil, Mechanical and Electric Engineering professions ?

(b) If the answer to part (a) is in the affirmative, do the Government propose to utilise the services of these persons in the manufacture of munitions ?

(c) If the answer to part (b) of the question is in the affirmative, do the Government propose to cause lists to be prepared of such persons willing to be so employed, and to state the terms and conditions on which their services will be entertained ?”

[22ND SEPTEMBER, 1915.]

[*Mr. Gillan ; Mr. Setalvad ; Sir William Clark ; Sir Harcourt Butler ; Sir Reginald Craddock.*]

**The Hon'ble Mr. Gillan** replied :—

“(a) The answer is in the affirmative.

(b) The only difficulty so far experienced with regard to the personnel required for the manufacture of munitions, is that there is some scarcity of suitable labour at a few centres. The class of pensioner referred to could not with advantage be employed on manual work. For superior duties, such as supervision, the existing staff is at present adequate, and the Government do not propose to take the action indicated, but should there be an increase in the work for which pensioners would be suitable, the possibility of employing them will not be lost sight of.”

**The Hon'ble Mr. Setalvad** asked :—

10. “ Will Government be pleased to state—

(a) if there is a contract for freight of Government Stores with any Steamship Company ;

(b) if so, what are the terms and rates of such contract for the last five years ;

(c) if there is no such contract, what was the average rate of freight paid during each of the last five years ? ”

Contract for freight for Government Stores with any Steamship Company.

**The Hon'ble Sir William Clark** replied :—

“ A statement\* is placed on the table which furnishes the information asked for, so far as it is readily available.”

**The Hon'ble Mr. Setalvad** asked :—

11. “ Do Government propose to publish the Report of the Committee that was appointed in 1913 to inquire into certain matters relating to the Tata Research Institute at Bangalore ? ”

Report of the Committee appointed in connection with the Tata Research Institute at Bangalore.

**The Hon'ble Sir Harcourt Butler** replied :—

“ The reply is in the negative.”

**The Hon'ble Mr. Setalvad** asked :—

12. “ Do the Government propose to publish the correspondence between the Government of India and His Majesty's Secretary of State for India, as well as the opinions that may have been obtained in India from Local Governments, High Courts, and other authorities, relating to the Indian Statutes Consolidation Act recently passed by Parliament ? ”

Correspondence regarding the Indian Statutes Consolidation Act.

**The Hon'ble Sir Reginald Craddock** replied :—

“ The Government of India regret that they do not consider it expedient to comply with the request.”

**The Hon'ble Mr. Setalvad** asked :—

13. “ (a) Will Government be pleased to state the conditions governing the chartering of steamers in normal times for trooping purposes ?

(b) Will Government be pleased to state what rates are fixed for passage between India and England and *vice versa* in case of Government servants on duty who are not travelling by special chartered steamers ? ”

Conditions for chartering of steamers in normal times for trooping purposes.

[*His Excellency the Commander-in-Chief;  
Maharaja Ranajit Sinha ; Sir Harcourt  
Butler.*]

[22ND SEPTEMBER, 1915.]

**His Excellency the Commander-in-Chief** replied :—

“(a) A statement\* is placed on the table.

(b) Tariff rates, less rebate allowed by shipping companies, are paid when passages by private steamer are provided by Government. In cases in which individuals are allowed to make their own arrangements, they are given passage money as follows :—

	1st Class.			2nd Class.		
	Rs.	as.	p.	Rs.	as.	p.
For passages booked from Calcutta, Bombay, Madras and Karachi	618	12	0	528	0	0
For passages booked from Rangoon	693	12	0	578	0	0.”

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Amounts  
spent for  
sanitation  
out of Public  
Works  
Cesses.

14. “(a) Will the Government be pleased to furnish a statement showing the amount spent in each Province by the District Boards for the purpose of sanitation out of the assignment of Public Works Cesses ?

(b) Will the Government be pleased to state if they have issued any instructions how the grants of Public Works Cesses to the District Boards will be utilized in the several provinces ?

(c) Do the Government propose to issue any instructions to Local Governments and Administrations to earmark a certain proportion of the said grant for the purpose of sanitation ?”

**The Hon'ble Sir Harcourt Butler** replied :—

“(a) A statement† is laid on the table furnishing the required information so far as it is available.

(b) and (c) In March 1913, the Government of India addressed the Local Governments concerned, as follows, with reference to the assignments made in favour of District Boards :—

‘The Government of India leave it to Local Governments to determine, if necessary, to what specific purposes this increased income should be devoted, but they trust that a substantial portion of this sum will be set apart for the improvement of the rural water-supply, for anti-malarial measures, for the protection of grain stores and markets in plague-infected localities, and generally for the sanitation of villages and small towns.’

The Hon'ble Member's attention is also invited to paragraph 3 of the Resolution of the Government of India No. 888-909, dated 13th May, 1914, on Indian Sanitary Policy.

The Government of India do not propose to issue any further instructions on the subject.”

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Rise in the  
price of  
food-stuffs.

15. “Is it a fact that there has lately been an abnormal rise in the price of foodstuffs ? If so, do the Government propose to take any further action in the matter ?”

[22ND SEPTEMBER, 1915.]

[*Mir Asad Ali ; Sir William Clark.*]

**The Hon'ble Mir Asad Ali** asked :—

16. " Will Government be pleased to state what measures they have recently taken in each of the provinces to prevent the abnormal rise in prices of food stuffs, and what steps (if any) have been taken to prevent the adulteration of foodstuffs, such as ghee and oils ?" Steps taken to prevent the abnormal rise in the price of foodstuffs.

**The Hon'ble Sir William Clark** replied :—

" It will be convenient if I reply at the same time to this question and to that asked by the Hon'ble Maharaja Ranajit Sinha.

A statement\* has been placed on the table which shows monthly fluctuations in the prices of the principal food-grains in the principal Indian markets between March and July last. A summary of the results has been attached to the statement.\* It will be observed that, during the period under review, no abnormal fluctuations have occurred. Wheat is the only crop in respect of which special measures have been taken, and the present position is that practically no wheat is leaving the country, since the price of wheat is above the figure of Rs. 4-10-9 per maund, f. o. b. Karachi, at which Government are prepared to purchase for export.

As regards the second-half of the Hon'ble Mir Asad Ali's question, the Government of India have consulted Local Governments and Administrations on the subject of legislation to prevent the adulteration of food and drugs in India. All replies have now been received, and the question is under consideration."

**The Hon'ble Mir Asad Ali** asked :—

17. " Will Government be pleased to state—

(a) whether the Director-General of Posts and Telegraphs has received any memorial from the subordinate postal officials of the Madras Circle re : the revision of their pay ?

(b) if so, what action has been taken on it ?" Memorials from the subordinate postal officials of the Madras Circle re : revision of their pay.

**The Hon'ble Sir William Clark** replied :—

" Last year 54 identical memorials were received from subordinate postal officials of the Madras Circle, in which the main request was that the number of appointments in the Rs. 20 grade should be reduced as far as possible. The Director-General of Posts and Telegraphs, recognising that the grading was no longer satisfactory, sanctioned a scheme costing Rs. 6,000 a year for its improvement. After these orders took effect, the Director-General received further petitions in which, while referring to the improvements already carried out, the memorialists asked for a great deal more. Their case has been re-examined recently, and the Director-General has approved of a further revision costing Rs. 9,600 a year."

**The Hon'ble Mir Asad Ali** asked :—

18. " Will Government be pleased to lay on the table a statement for each of the last ten years, showing province by province—

- (a) the number of candidates at the University and public examinations ;
- (b) the subjects in which the largest number of failures occurred ;
- (c) the number of failures at such examinations ;
- (d) the number of admissions into Colleges ; and
- (e) the total number of students in each of the College classes ? "

Candidates for University and public examinations.

[*Sir Harcourt Butler ; Mir Asad Ali ; Sir William Clark.*]

[22ND SEPTEMBER, 1915.]

**The Hon'ble Sir Harcourt Butler** replied :—

“(a) and (c) The information is shown in the statement\* which is laid upon the table.

(b), (d) and (e) The Government of India are not in possession of the information asked, and it is doubtful whether it is possible to collect it. The Government of India will, however, address Local Governments and the University of Calcutta with a view to ascertaining if the information is procurable.”

**The Hon'ble Mir Asad Ali** asked :—

**19.** “Will Government be pleased—

(i) to lay on the table a statement showing—

(a) the total number of Excise Advisory Committees in each of the Indian Provinces ;

(b) their composition in each case, with particular reference to non-official representation ;

(c) their methods of work in each province ; and

(ii) to state whether they propose (a) to extend the Advisory Committees throughout India ; and (b) to establish Licensing Boards in the capital cities of the major provinces ?”

**The Hon'ble Sir William Clark** replied :—

“As regards the first part of the question, a statement† containing the information asked for in heads (a) and (b) and a memorandum regarding the constitution and working of Excise Advisory Committees, which contains the information asked for in head (c), are laid on the table.

As regards the second part, the attention of the Hon'ble Member is invited to paragraphs 5 and 6 of the Excise despatch to the Secretary of State, No. 12, dated\* the 26th February, 1914, to paragraph 6 of His Lordship's reply No. 77 Rev., dated the 29th May, 1914, and to paragraph 3 of the Resolution in this Department, No. 6305-6323—221, dated the 25th July, 1914, which were all published in Volume I of ‘Papers relating to Excise Administration in India, 1914’.

From these it will be seen that the desirability of the extension of the system of Advisory Committees and the enlargement of their functions and powers has been generally accepted in principle, and Local Governments and Administrations have been asked to report the action which they propose to take in this direction. A report has recently been received from the Government of Bengal on the working of the Excise Licensing Boards appointed in Calcutta and its suburbs in 1913. The experiment initiated by the Local Government has so far worked fairly well, but the circumstances under which it has been tried are not such as to justify the Government of India in requiring its extension to other provinces at the present stage. The Government of India are, however, ready to allow the experiment to be tried in other provinces where it would be warranted by local conditions, and the report of the Government of Bengal is being communicated to other Local Governments and Administrations for such action as they may deem fit to take.”

**The Hon'ble Mir Asad Ali** asked :—

**20.** “Will Government be pleased to state—

(a) whether it is a fact that there is but one post office holiday for Ramzan for Moslem employes in Madras, and that Hindu employes get five such holidays for their festivals during a year ?

Post Office holidays for Ramzan and Id-ul-zuha festivals in Madras.

\**vide* Appendix C.

†Not included.

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[*Sir William Clark ; Rai Sita Nath Ray Bahadur ; Sir William Meyer ; Sir Fazulbhoy Currimbhoy ; Sir Harcourt Butler.*]

(b) whether they propose to make Id-uz-zuha (Bakrid) another post office holiday for Mussalmans ?”

**The Hon'ble Sir William Clark** replied :—

“(a) The facts are as stated by the Hon'ble Member.

(b) In 1911, the Southern India Chamber of Commerce was consulted as to the six days to be observed throughout Madras as extra holidays in the Post Office. After considering the local importance of the various festivals, the Chamber recommended that one of the holidays should be a Muhammadan one. This proposal was accepted and no objection to the arrangement has since been received by Government, no doubt because the local authorities endeavour, as far as possible, to exempt Muhammadan employés from duty on the Id-uz-zuha festival.

In these circumstances, the question of making Id-uz-zuha a general Post Office holiday in Madras has not been considered by Government, but they will bear the Hon'ble Member's suggestion in mind when deciding on the list of holidays to be observed in 1916.”

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

21. “Do the Government propose to take any action with a view to sustaining the present price of existing  $3\frac{1}{2}$  per cent Government paper ?”

Floatation of new loan of 4½ crores.

**The Hon'ble Sir William Meyer** replied :—

“The Government of India see no sufficient reason at present for taking any extraordinary action such as appears to be contemplated in the question.”

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

22. “(a) Will Government be pleased to lay on the table the papers connected with, or to state, the arrangements (if any) arrived at between themselves and Messrs. Turner, Morrison and Co., regarding the *Haj* traffic during the current year ?

Arrangements as regards the Haj Traffic during the current year.

(b) Is it a fact that the *Hajis* do not approve of return-tickets, which they are compelled to buy now, on account of the present terms on which Messrs. Turner, Morrison and Co. issue the tickets, and that this is producing dissatisfaction among the *Hajis* ?

(c) Is it a fact that the services of licensed brokers have hitherto been employed on behalf of Government to render such services as the vaccination of the pilgrims, issuing of passports, keeping of lists of the sick, arranging for the disinfection, etc., and that such services have been dispensed with by Messrs. Turner, Morrison and Co. ?

(d) Will Government be pleased to state what agency (if any) they intend to substitute in place of such brokers ?

(e) Do Government propose to consider favourably the proposition that vessels owned or chartered by Mahomedans for the *Haj* traffic should be given preferential treatment in the matter of the transport of pilgrims and for the cargo traffic to Jeddah ? ”

**The Hon'ble Sir Harcourt Butler** replied :—

“(a) The Government of India are not prepared to lay papers on the table. The general attitude of Government regarding the pilgrim question during the current year has been guided by three main factors—the difficulties created by Turkey's entry upon the war and the increased risks and discomforts thereby entailed upon pilgrims ; the desire of Government to respect the religious

[*Sir Fazulbhoj Currimbhoj ; Mr. A. H. Grant.*] [22ND SEPTEMBER, 1915.]

feeling of Muhammadans in connection with the *Haj* ; and, finally, the shortage of vessels and high price of freights. The Government of India have accordingly permitted, under certain conditions, the transport of food supplies for the pilgrims to Jeddah ; they have refused to consider the proposal of granting a monopoly to Messrs. Turner, Morrison and Company, and, in the face of considerable difficulties, have done what is possible in the present exceptional circumstances to arrange facilities for pilgrims bent on performing the *Haj*.

(b), (c) and (d). Representations have been received from certain bodies protesting against the refusal of Messrs. Turner, Morrison and Company to issue single tickets to Jeddah. This firm was reluctant to carry pilgrims at all on account of the present exceptional circumstances. They agreed to do so only on certain conditions including the issue of none but return-tickets. The Government of India, in the special circumstances of this year's *Haj*, felt themselves unable to oppose this condition. The Government of India observe that the position of the firm in regard to return-tickets and brokers has recently been explained by Mr. Wardlaw Milne in an open letter to the press. This letter states that refunds will be made in case of non-return, refers to the question of employment of brokers by this firm, and details the arrangements now to be made. As stated above, Messrs. Turner, Morrison and Company have no monopoly of the pilgrim traffic, and it is stated in the press that vessels of other firms also will convey pilgrims to Jeddah.

(e) No proposition is before the Government of India to the effect that vessels owned or chartered by Muhammadans for the *Haj* traffic should be given preferential treatment."

**The Hon'ble Sir Fazulbhoj Currimbhoj asked :—**

Detention of  
Indians pro-  
ceeding to  
Quetta at  
the Hrak  
Segregation  
Camp.

**23.** "(a) Is it a fact that all Indians, of whatever position, whether travelling first or second class, when proceeding to Quetta are detained at the Segregation Camp at Hrak in summer and at Sibi in winter, and that first and second class passengers are permitted to proceed to Quetta only on production of a medical certificate of ten days' residence in an uninfected area ?

(b) Is it a fact that these restrictions are not applied in the case of Europeans and Eurasians ?

(c) Is it a fact that a person wishing to go 10 miles from Jacobabad is compulsorily taken to Hrak, more than 100 miles from Jacobabad and brought back the next day ?

(d) Will Government be pleased to state if similar Detention Camps are in existence in the case of other military hill-stations ?

(e) Do Government propose to consider the advisability of the removal of the Detention Camp at Hrak ?"

**The Hon'ble Mr. A. H. Grant replied :—**

" (a) The reply is in the negative. No persons are detained in the Segregation Camp at Hrak who come from areas which are free from plague. First class Indian passengers from plague-infected areas are detained only in extremely rare cases, when it is obvious that they are escaping, with numerous dependents, from places in which plague is raging. Second class Indian passengers from plague-infected areas are detained, unless they produce a certificate to the effect that they have resided for ten days in a locality which is free of plague.

(b) The answer is in the affirmative—the reason being that such persons are few in number and easily traced, so that any cases of plague which may occur among them are sure to be detected at once.

(c) If a passenger wishes to travel by rail, he is required to proceed *via* Sibi or Hrak, as the case may be ; but there is nothing to prevent his proceeding by road, as the very few local travellers doubtless do. The rule is essential

**QUESTIONS AND ANSWERS; THE INLAND STEAM-VESSELS 33  
(AMENDMENT) BILL; THE BENARES HINDU UNIVERSITY  
BILL; THE INDIAN PORTS (AMENDMENT) BILL.**

[22ND SEPTEMBER, 1915.]

[*Maharaja Sir Manindra Chandra Nandy ;  
Mr. C. H. A. Hill; Sir Reginald  
Craddock; Sir William Clark;  
Sir Harcourt Butler.*]

to prevent evasion of inspection by persons alighting at intermediate stations and re-booking or proceeding direct to foreign territory.

(d) Except at Pachmarhi, where a Detention Camp is maintained by the Cantonment authorities, no such camp, as is described in the Hon'ble Member's question, is maintained in British India. In the North-West Frontier Province, certain inspection posts were established during the recent plague epidemic for persons suffering, or suspected to be suffering, from plague.

(e) In view of the peculiar position of Baluchistan, of the great political importance of preventing the spread of plague to Afghanistan and Persia, and of the success which has attended the arrangements in question (which have been in force, without serious complaint since 1897, and which are heartily approved by local public opinion), the Government of India do not consider that it would be in the public interest to remove the Detention Camp at Hirak."

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

**24.** " Do the Government propose to take any steps on the recommendations of the Co-operative Committee which was presided over by Sir Edward Mac-lagan ?" **Co-operative Committee.**

**The Hon'ble Mr. C. H. A. Hill** replied :—

" The Report is at present under the consideration of Government."

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

**25.** " Will the Government be pleased to lay on the table the correspondence regarding the relative strengths of the Calcutta and Bihar High Courts ?" **Relative strengths of the Calcutta and Bihar High Courts.**

**The Hon'ble Sir Reginald Craddock** replied :—

" The correspondence regarding the relative strengths of the Calcutta and Bihar High Courts is still in progress, and cannot therefore be laid on the table".

**THE INLAND STEAM-VESSELS (AMENDMENT) BILL.**

**The Hon'ble Sir William Clark** presented the Report of the Select Committee on the Bill further to amend the Inland Steam-vessels Act, 1884.

**THE BENARES HINDU UNIVERSITY BILL.**

**The Hon'ble Sir Harcourt Butler** presented the Report of the Select Committee on the Bill to establish and incorporate a teaching and residential Hindu University at Benares.

**THE INDIAN PORTS (AMENDMENT) BILL.**

**The Hon'ble Sir William Clark** :—" My Lord, I move for leave to introduce a Bill to amend the Indian Ports Act, 1908.

" The occasion of this Bill is a reference from the Government of Madras. That Government wish for power to exempt from taxation and port dues fishing vessels entering the port. The Government of India are entirely in sympathy with their object, which is the assistance of a very valuable industry, but it turns out that, under section 34 of the Act, there is no power to sanction the exemption of one particular class of vessels. An amendment of the Act is therefore necessary, and we have taken the opportunity, at the same time, of circulating the proposals to Local Governments, and, after receipt of their replies, of embodying in the Bill various other proposals of an administrative character. It is proposed to circulate the Bill, if this motion is accepted, and it will then be taken up in the cold weather."

The motion was put and agreed to.

[*Sir William Clark; Sir Pardey Lukis.*]

[22ND SEPTEMBER, 1915.]

**The Hon'ble Sir William Clark** introduced the Bill, and moved that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the Fort St. George Gazette, the Bombay Government Gazette, the Calcutta Gazette, the Burma Gazette, the Bihar and Orissa Gazette and the Assam Gazette, in English, and in such other languages as the Local Governments think fit.

The motion was put and agreed to.

## THE INDIAN MEDICAL (BOGUS DEGREES) BILL.

**The Hon'ble Sir Pardey Lukis** :—"My Lord, I move for leave to introduce a Bill to prevent the grant to unqualified persons of titles implying qualifications in western medical science, and the assumption and use by such persons of such titles.

"In so doing, in order that Hon'ble Members may obtain a clear understanding as to the necessity for this Bill, it is desirable that I should make a short statement as regards its genesis. In 1908, when submitting, for the consideration of the Government of India, proposals for the passing of an Imperial Medical Registration Act for all India, the Government of Bengal suggested that, if such legislation were undertaken, clauses should be included in the Bill to prohibit and penalise the granting, by unauthorised persons or bodies, of any degrees or licenses to practise the western system of medicine or of any colourable imitations of such degrees or licenses, or the use thereof by any persons. The reasons given for this proposal were that, within recent years, a number of self-constituted Medical Colleges had sprung up in Calcutta, all of which were turning out men with diplomas and licenses, granted on their own authority, and without any recognition either from Government or the Calcutta University. There were, at that time, and I believe still are, four such institutions, calling themselves, respectively, the College of Physicians and Surgeons of Calcutta, the College of Physicians and Surgeons of Bengal, the College of Physicians and Surgeons of India, and lastly, the National Medical College. In none of these institutions were there any fixed standards of preliminary education, and, with one possible exception, none of them provided a proper course of teaching or had adequate facilities for practical training, while, in some of them, an efficient teaching staff, proper equipment, and arrangements for clinical instruction were practically non-existent. Each of these institutions issued its own diplomas, which were more or less colourable imitations of licenses granted by the recognized English and Indian examining bodies, and there were no arrangements for outside control or inspection. For these reasons, the Local Government were of opinion that, on the analogy of the Legal Practitioners Act, not only fully qualified medical practitioners, but also the public, were equally entitled to be protected in respect of the practice of the western system of medicine.

"After giving the matter full consideration, the Government of India, in 1910, replied to the Bengal Government to the effect that, whilst agreeing to the introduction of a Provincial Medical Registration Act on lines similar to those of the Act, which had already been introduced for the Bombay Presidency, they considered it undesirable, at that stage, to undertake legislation affecting these self-constituted Medical Colleges in Calcutta; at any rate, until an effort had been made to induce all or some of them to unite in forming one really good teaching institution, which might either be affiliated to the University, or, if it failed to reach the University standard, to the Campbell Medical School at Sealdah. During the last five years every effort has been made to secure the amalgamation of these colleges, and the Government of India has also agreed to certain non-recurring and recurring grants which should enable one of them, at any rate, to be placed upon a sound footing. The efforts at securing such amalgamation have,

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[*Sir Pardey Lukis.*]

however, come to nothing, and the authorities of the institution, to which financial assistance has been offered, have, up to the present, failed to fulfil their part of the bargain, so that we are now practically where we were when the Government of Bengal wrote their letter in 1908. Seeing that Medical Registration Acts have already been passed in many of the large provinces of British India, and that others are under consideration, it is now considered necessary to supplement this Provincial Legislation by an Imperial Act restricting to duly constituted authorities the right to issue degrees and diplomas in the western systems of medicine and surgery, so as to ensure that such degrees and diplomas are not issued to unqualified persons. This Bill prohibits all persons, save certain specified authorities, from issuing, or alleging that they are entitled to issue, any degree or diploma in western medicine or surgery. It also penalises persons who voluntarily and falsely assume any medical title, which is granted either by the General Council of Medical Education of the United Kingdom, or by the authorities constituted under the Act, and further, it prohibits the use of any colourable imitations of such titles. The Bill does not affect the right of any person to exercise the profession of medicine or to practise as a Physician or Surgeon, provided that he does not pretend to qualifications which he does not possess, and its operation is rigidly restricted to the western methods of allopathic medicine and surgery; practitioners of the Homœopathic, Ayurvedic, and Unani systems being excluded from the purview of the Bill.

“ I think that Hon'ble Members will agree with me that the time is now ripe for the introduction of such a Bill, and I trust that it will not be considered as controversial in any sense of the word; neither can it be regarded as dealing with a matter of merely local or provincial interest. It is true that, at present, self-constituted Medical Colleges exist nowhere in India outside of Calcutta, but no one can say how long this condition of affairs will continue, and, as a matter of fact, one of these institutions has already endeavoured to open so-called ‘examination centres’ in different parts of India. The licentiates, moreover, of these colleges have now penetrated to every corner of the Indian Empire, so that the matter has become one of Imperial importance. I wish, however, to state here quite clearly and emphatically that the Government of India have no desire whatever to injure any of these self-constituted Medical Colleges. It is desired merely to induce them to raise the standard of efficiency of their teaching staff; to provide proper appliances and clinical material for the training of their students; and finally, instead of examining their own students and issuing their own diplomas, to submit to regular inspections on the part of some recognised examining body, to which they have secured affiliation, such as the Calcutta University or the State Medical Faculty of Bengal. This, my Lord, is of course only the preliminary stage of the Bill which, if introduced, will be published and freely circulated in the usual manner, in order that all concerned may have every opportunity of expressing their views and putting forward their suggestions before any further action is taken. Full opportunities for discussion will also be afforded, moreover, to Hon'ble Members when the replies have been received to the references to the various Local Governments and public bodies.

“ With these explanatory remarks, my Lord, I move for leave to introduce the Bill. ”

The motion was put and agreed to.

**The Hon'ble Sir Pardey Lukis :—**“ My Lord, I now introduce the Bill, and move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English, and in the local official Gazettes in English, and in such other languages as the Local Governments think fit.”

The motion was put and agreed to.

[*Sir William Clark.*]

[22ND SEPTEMBER, 1915.]

**THE ENEMY TRADING BILL.**

**The Hon'ble Sir William Clark :—**" My Lord, I move for leave to introduce a Bill to provide facilities for the payment to a public authority of certain moneys, the payment of which is, or may be, prohibited owing to the present war, and to provide for other matters in connection with trading with foreigners.

" This Bill is one of the measures which has been found necessary owing to the present state of war. Various Proclamations have been issued, from time to time, by His Majesty, the King-Emperor, prohibiting commercial and other dealings with enemy subjects, and any contravention of the provisions of these Proclamations is punishable under the law of British India. The present Bill deals with certain points which have arisen in connection with the operation of these Proclamations.

" As trading with an enemy is prohibited, some difficulty has arisen as to how payment is to be made of sums due to an enemy. It might perhaps appear the simplest course that such payments should not be made at all. They would, however, have to be made when the war is over, and it is for the convenience of the commercial public, who wish to close their accounts at the ordinary intervals, to be able to effect such payments during the currency of the war and to discharge their debts. It was found necessary in the United Kingdom, in 1914, to constitute by legislation a public authority to whom certain sums due to enemies have to be paid, but there is no authority in British India to whom sums payable by way of interest, dividends or profits to an enemy, or sums due to individuals or firms prohibited from carrying on business or from receiving payments of money in British India, can be paid. The Government of India have ascertained by inquiry from the principal Chambers of Commerce and others that the lack of such an authority has caused practical inconvenience, and they, therefore, are introducing the present Bill in order to constitute public authorities, to be known as 'Custodians' to receive payments of the nature to which I have referred. The provisions of the Bill are largely based on the English Trading with the Enemy (Amendment) Act of 1914, but our Bill differs from the English Act in the important respect that payment of such sums to the constituted authority is optional and not obligatory. On the other hand, we are giving our Bill a somewhat wider scope, and instead of restricting its application, as in the English Act, to payments of the nature of dividends, interest or profits, it has been thought expedient to insert in the Bill a clause authorising the Governor General in Council to declare that its provisions shall apply to any other classes of payments.

" The other main matter with which the Bill deals, is a question which has come to notice in connection with the existing law penalising trading with the enemy. Doubts have arisen as to whether the provisions of the law are sufficient to penalise attempts and efforts to trade with enemy subjects in contravention of the King's Proclamations, as well as actual trading with such subjects. The same difficulty arose in England, and was dealt with in the Trading with the Enemy (Amendment) Act of 1914. A clause to remove these doubts, based on the clause in the English Act, has, therefore, been inserted in the Bill.

" It is important that the Bill should be passed into law, as soon as possible, in order that the Custodians may be established without further delay. If, therefore, Council agree to the introduction of the Bill to-day, I propose, with your Excellency's permission, to move that it should be passed through its final stages at the next meeting of Council. I beg to move for leave to introduce the Bill."

The motion was put and agreed to

**The Hon'ble Sir William Clark :—**" My Lord, I beg to introduce the Bill, and to move that the Bill, together with the Statement of Objects and Reasons relating thereto, be published in the Gazette of India in English."

The motion was put and agreed to.

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## THE REPEALING AND AMENDING BILL.

**The Hon'ble Sir Ali Imam** :—"My Lord, I beg to move that the Bill to amend certain enactments and to repeal an enactment be taken into consideration."

The motion was put and agreed to.

**The Hon'ble Sir Ali Imam** :—"My Lord, I beg to move that the Bill be passed."

The motion was put and agreed to.

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## THE INDIAN SOLDIERS (LITIGATION) BILL.

**The Hon'ble Sir Reginald Craddock** :—"My Lord, I beg to move that the Bill to provide for the special protection in respect of civil and revenue litigation of Indian soldiers serving under war conditions be taken into consideration."

The motion was put and agreed to.

**The Hon'ble Sir Reginald Craddock** :—"My Lord, I beg to move that the Bill be passed."

The motion was put and agreed to.

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## RESOLUTION ON THE REPRESENTATION OF INDIA IN THE IMPERIAL CONFERENCE.

**The Hon'ble Khan Bahadur Mian Muhammad Shafi** :—"My Lord, the British Empire, embracing within its sphere of control continents larger in extent and population than the Empire of Rome, wielding its sway over nations and races, some of whom are possessed of civilizations more ancient than that of Greece, administering its vast dominions not only for their own mutual benefit, but also for the general good of mankind, constitutes a wonderful phenomenon unparalleled in the past history of the human race. The gradual evolution, in a world-Empire like this, of a constitutional system of government which, while conceding to its component parts varying degrees of internal autonomy suited to their local circumstances, should, at the same time, enable them to play their legitimate part in Imperial affairs, is undoubtedly the ultimate guarantee of its permanence and stability. But so long as British politics were dominated by the 'Manchester School,' which regarded self-governing institutions as only a step towards ultimate separation, this idea of permanent Imperial unity could obviously find no place in the political schemes which engrossed the minds of British Statesmen in the middle of the nineteenth century. Strange, as it now appears, the idea of an Imperial Federation was first mooted not in the centre of the Empire, but in its outlying dominions. The fascinating suggestion, having been first put forward in New Zealand in 1852, was, five years later, officially made in London by the general association of the Australian Colonies. The foundation of the Royal Colonial Institution with its motto of a 'United Empire' in 1868; the open repudiation, in 1872, by Lord Beaconsfield of the pernicious doctrine of the 'Manchester School' initiated by Cobden and Bright; the advocacy of the Imperial idea by Mr. W. E. Forster in 1875; and the foundation of the 'Impe-

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rial Federation League' in 1884, brought this all-important subject into prominence, and paved the way for the assemblage of the first Colonial Conference in 1887. And finally, the foundation of Imperial Federation was firmly laid in 1907 by the adoption, in that year's Conference, of the following Resolution:—

'That it will be of advantage to the Empire if a Conference, to be called the Imperial Conference, is held every four years, at which questions of common interest may be discussed and considered as between His Majesty's Government and His Governments of the self-governing Dominions beyond the seas.'

"It is this Resolution, which forms the basis of the existing constitution of the Imperial Conference, and defines the nature and scope of its deliberations.

"My Lord, to us in this country, it is a source of deep disappointment as well as of profound astonishment that, in spite of her prominent position in the galaxy of peoples and countries constituting the British Empire, of her political, commercial and strategic importance, of the obvious utility of her participation in the deliberations of the Conference, and of the invaluable services rendered by her to the Empire, India should have been hitherto excluded from this scheme of Imperial Federation. Of India's prominent position within the Empire, I do not propose to speak to-day. Hon'ble Members are, I have no doubt, perfectly familiar with the eloquent and absolutely faithful picture of our country's importance within and to the Empire drawn by Lord Curzon in his Guildhall (1904) and other speeches. Fortunately, that Imperial Statesman is a member of the National Cabinet to which I am appealing to-day. All India will watch with a vigilant and an expectant eye to see if those memorable speeches represented merely the impassioned rhetoric of an orator designed to create a momentary impression upon his audience in order to win their applause, or the sentiments expressed therein were, in reality, as they undoubtedly appear to be, in the beautiful language in which they are clothed, the outcome of his sincere convictions. The request embodied in the Resolution, which I am about to move, is but the logical result of Lord Curzon's utterances relating to India's position within the Empire, and not only will India of to-day, but also the future historian, judge His Lordship's sincerity as an Imperial Statesman by the measure of support, which will be given by him to the earnest appeal which India is making to be allowed to take her proper place in the Imperial Federation of Greater Britain.

"My Lord, electricity and steam having bridged over the wide gulfs of space and time, the expressions the 'Near East,' the 'Middle East' and the 'Far East' have lost their erstwhile significance. And not only have the different parts of the East, though distant from each other if measured in miles, been thus brought close together, but the East has thereby come into direct and immediate contact with the West. Under the world-conditions brought into existence by modern culture and civilization, the East is henceforward bound to play an increasingly important part in international affairs. To those who have carefully watched the trend of those political and sociological movements which have, of recent years, stirred humanity to an extent hitherto entirely unknown, it must be obvious that not only has India become in truth the pivot of the East, but the part, ever increasing in its momentous importance, which she is destined to play in the political and commercial spheres of human activity, is bound to gather volume with the advance of time. And with this practical annihilation of space and time, the strategic position of India not only within the Empire, but also in relation to the States with whom the vital interests of the British Empire, are at all likely to come into conflict in the future, near or remote, is becoming more and more important. This vital aspect of the Imperial problem is of such fascinating interest as to require a volume for its adequate treatment, and it is impossible for me to do justice to it within the absolutely insufficient space of time at my disposal. Indeed, with the immense material and military resources of India, her political, commercial and strategic importance to the Empire is a factor of ever-increasing moment in world-politics and, in proportion, is her direct participation in the deliberations of what has been called the 'Family

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Council ' of the Empire absolutely essential to its future development and prosperity.

" My Lord, is there a single problem of Imperial or even international interest in which India, as an integral and an important part of the British Empire, is not directly concerned? Is there a single Imperial question in relation to which the interests of Great Britain, of the self-governing Colonies and of India are, under the existing conditions, not indissolubly bound together? Can any scheme of Imperial defence be regarded as complete without taking into account India's defensive requirements and her offensive capacity not only in relation to her own frontiers, but, as recent events have made it abundantly clear, also in connection with the military needs of the Empire in every portion of the globe? Is it possible to evolve any scheme of Imperial Preference, or to introduce any workable Imperial fiscal reform without taking into consideration what may be called India's inter-Imperial interests? To these and other cognate questions there can be but one answer. India is directly and materially interested in all important problems of the Empire, of which she is proud to form an integral part, to the same extent and in the same degree as any other portion of His Imperial Majesty's vast dominions. Moreover, are there not a number of domestic problems of the nature of family complications, such as, immigration, tariffs, etc., which can only be satisfactorily solved by the representatives of the Imperial, Colonial and Indian Governments meeting together in periodical Conferences? And is not their solution indispensable to the smooth-working of the Imperial machinery and to the happiness and contentment of His Majesty's subjects in all parts of the world? The more or less satisfactory settlement of the South African Indian troubles—due mainly to the firm stand made by your Excellency on behalf of this country—was, in part, brought about by the timely deputation of the Hon'ble Sir Benjamin Robertson as the representative of our Government, and by the visit of that devoted Indian patriot, the late Hon'ble Mr. G. K. Gokhale, to the scene of that unfortunate conflict. The presence, in the Imperial Conference, of one or more representatives of the Government of this country, with intimate knowledge and experience of the East generally, and of India particularly, would not only satisfy Indian sentiment, but also prove of immense benefit to the Empire, and would help to solve, smoothly and expeditiously, many difficult problems which have, in the past, imposed tremendous strain on British statesmanship.

" My Lord, in view of recent occurrences, it is hardly necessary for me to dwell in detail on India's past services to the Empire not only along, or in close proximity to her, own frontiers, but also in China, South Africa, Somaliland, Egypt, the Persian Gulf and at other points of vital importance outside her statutory boundaries. These are historical facts, well known to His Majesty's Ministers in England. But just as the terrible crisis, through which the world is now passing, has dwarfed all previous international upheavals into insignificance, so has the part taken by India, in the defence of the Empire's honour and in support of her glory in this titanic struggle, surpassed all her previous record. Simultaneously with Great Britain's declaration of war in defence of weaker States, of sacred obligations arising out of solemn international treaties, and in vindication of those principles of justice and honour which have ever appealed to the best instincts of mankind, a remarkable wave of intense loyal enthusiasm passed over the length and breadth of India. Prince and peasant alike vied with each other in their readiness to sacrifice everything in upholding the honour and glory of the Imperial banner under which they had hitherto enjoyed the priceless blessings of peace and prosperity. Thanks to your Excellency's wonderful foresight, the outbreak of hostilities found India, from a military point of view, readier than any other part of the Empire to take the field wherever the presence of her armies may be needed. And when your Excellency obtained for Indian soldiers the proud privilege of fighting side by side with their British and Colonial comrades on

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the battlefields of Europe, and thus attain their full and undoubted right of upholding the King's banner irrespective of locality, the delight of His Majesty's subjects in this country knew no bounds. The share taken by India in this gigantic struggle, the part played by our soldiers in China, Africa, Mesopotamia and on the European battlefields, has not only won for them the unstinted admiration of their British and Colonial comrades, but has also been fully acknowledged by the British nation in solemn Resolution adopted at the Guildhall meeting. And if, when merely knocking at the outside gate for admission into the Imperial Federation, India has willingly and spontaneously done what she has done in this critical period of British history, what is it that she will not be prepared to do if allowed her proper place in the Councils of the Empire? Contented India will, then, place at the disposal of the Empire not only '124 regiments of infantry with artillery, and 28 regiments of cavalry besides smaller bodies of troops, aggregating more than an infantry division,' but the martial races of India will, should occasion arise, pour forth millions upon millions of unrivalled fighters for the defence of the Empire. With the part which India has taken in this titanic war, with the conclusive proof given by her of her abiding loyalty to the British Crown in this international crisis, is it surprising that, in November last, Mr. Charles Roberts, speaking in the House of Commons on behalf of the Secretary of State, should have given expression to the desire of Government that India should 'occupy a place in our free Empire worthy alike of her ancient civilization and thought, of the valour of her fighting races and of the patriotism of her sons?' 'She now claims,' said he, 'to be not a mere dependent of, but a partner in, the Empire.' And on behalf of the then Leader of the Opposition, now Secretary of State for the Colonies in the National Cabinet and with his full authority, Mr. H. W. Forster, recognizing 'India's splendid and unswerving loyalty,' associated His Majesty's Opposition with these sentiments. With the eloquent words uttered by the Prime Minister and the Right Hon'ble Mr. Bonar Law in the memorable Guildhall meeting still ringing in our ears, is it surprising that the Indian subjects of His Imperial Majesty should be full of hope and trust in the future of their country? And that hope and trust are vastly strengthened when we remember that the comradeship, on the battlefields of three continents, between the British, Colonial and Indian soldiers has not only removed groundless misconceptions and brought about mutual confidence and understanding, but has sealed with blood for all time this renewed compact of fellow-citizenship of a great and glorious Empire. In the words of Erric Harmond's 'Salutation to Indian Soldiers'—

. . . "Through the boom of guns  
That rumbles round the surface of the globe,  
Your prowess and your courage strike the sight  
Of all men living. You have won your right.  
Our Empire needs, and has, the circling band  
Of steadfast union, part to part. Our ways,  
Our hopes are one; and, onward hand in hand,  
We tread, Invincible, our Imperial strand."

"My Lord, it is impossible for me to discuss in detail all the solid grounds which lie at the basis of my Resolution within the half hour to which I am limited. I have confined myself to what is but an incomplete synopsis of this important subject, and indicated the lines upon which, in my humble judgment, the discussion of this Imperial problem should proceed in and out of this Council. It is not only absolutely unnecessary, but would, to my mind, be, in

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the highest degree, impolitic to dwell on the past, and to criticise the policy which has hitherto kept India out of the Imperial Conference. The dawn of a new era of hope and trust, of mutual confidence and understanding is already visible above the horizon, and it behoves all well-wishers of the country to approach the question in a spirit of hopefulness, dealing with it in the light of those principles of constructive statesmanship which alone lead to ultimate success.

“ My Lord, India is not content with the occasional presence of the Secretary of State at the Imperial Conference : what she wants is her own direct representation like that of the British Colonies. And just as the glimmer of the early dawn heralds the coming of the Fountain of Light, so is the gracious permission granted me to-day the harbinger of the happy period when, this her just claim being duly recognised, India will take her proper place in the Councils of the Empire. Fortunately for her, the affairs of the Empire are at this moment presided over not by this party or that, but by a truly National Cabinet representative of the entire British nation. And the glorious example of South Africa has already furnished an object-lesson to those who may have entertained any doubts regarding the absolute efficacy of a policy of sympathy and trust. On behalf of 313 millions of my countrymen, representing over 75 per cent of the entire population of the Empire, I appeal, through your Excellency, to His Majesty's Government and, through them, to the enlightened conscience of our British fellow-subjects in Great Britain and her Colonies for India's admission in the Imperial Federation which, with the resulting contentment in all parts of the Empire, will constitute the best guarantee not only of the happiness of His Majesty's subjects, belonging to all races and creeds, but also of the peace of the world. With complete confidence in the justice of our claim and a heart full of hope and trust, my Lord, I beg leave to move the following Resolution :—

‘ This Council recommends to the Governor General in Council that a representation be sent, through the Right Hon'ble the Secretary of State, to His Majesty's Government urging that India should, in future, be officially represented in the Imperial Conference.’ ”

**His Excellency the President :—** “ It has been a source of profound satisfaction to me that it has been within my power to accept for discussion the very moderate and statesmanlike Resolution, happily devoid of all controversial character, that has been proposed by the Hon'ble Mr. Muhammad Shafi, and it is a matter of still greater satisfaction and pleasure to me to be able to announce that the Government of India gladly accept this important Resolution, which has their warmest sympathy, and, if it is accepted by Council as a whole, the Government will readily comply with the recommendation contained therein.

“ We have all listened with deep interest to Mr. Muhammad Shafi's eloquent speech, and it is a real pleasure to the Government of India to be able to associate themselves with his Resolution.

“ Before proceeding further, it would be as well that I should recapitulate what has taken place at Imperial Conferences in the past, and define the actual constitution of the Conference as created by the Governments who have hitherto been represented in it.

“ It was due to the presence in London, in 1887, of the Premiers of the various self-governing Dominions, representing their countries at the celebrations of the Jubilee of the late Queen Victoria, that the idea of a Colonial Conference first took practical shape, and similar meetings took place in 1897, 1902, 1907 and 1911. At the earlier meetings, the Secretary of State for the Colonies presided.

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"In 1887, the Secretary of State for India attended the formal opening meetings of the Colonial Conference, but at subsequent proceedings neither he nor any representative of Indian interests was present.

"At the meetings of the Colonial Conferences held in 1897 and 1902, the Secretary of State for India neither attended nor was represented. \*

"In 1907, by arrangement between Lord Morley, then Secretary of State for India, and the Prime Minister, Sir James Mackay, now Lord Inchcape, was permitted to attend the meetings in the absence of Lord Morley, not as a member of the Conference nor as the representative of India, but on behalf of the India Office, and 'with a view to the representation of Indian interests' and in a debate upon Colonial preference, Sir James addressed the Conference at some length, explaining the Free Trade principles on which the economic situation in India is based.

"In that year a new constitution was approved by the Conference for its future gatherings.

"Henceforth it was to be known as the Imperial Conference, and was to be, in the words of a Resolution passed by the Conference, 'a periodical meeting for the discussion of matters of common interest between His Majesty's Government and His Governments of the self-governing Dominions beyond the seas.' With the change of title, additional importance was given to the Assembly by the assumption of the Presidency by the Prime Minister of the United Kingdom.

"The members of the Conference, as then and now constituted, are the Prime Minister of the United Kingdom, the Secretary of State for the Colonies and the Prime Ministers of the self-governing Dominions, but again in the words of the Resolution, 'such other Ministers, as the respective Governments may appoint, will also be members of the Conference, it being understood that, except by special permission of the Conference, each discussion will be conducted by not more than two representatives from each Government, and each Government will have only one vote'.

"At the Imperial Conference of 1911, the Secretary of State for India was present at a meeting, but India herself had no recognised place in this Conference.

"Representation is, therefore, at present confined to the United Kingdom and the self-governing Dominions, and no one can now attend the Conference as a Representative except a Minister. Further, alterations in the constitution of the Conference are made only by, and at, the Conference, itself: and, if precedent be followed, take effect only at the next succeeding Conference. From this statement of the actual constitution of the Imperial Conference, you will see that the ultimate decision upon the representation of India at the next meeting of the Conference rests with the Conference itself. It is of course premature to consider the manner in which the representation of India, if admitted, should be effected, but *prima facie* it would appear reasonable that India should be represented by the Secretary of State and one or two representatives nominated by the Secretary of State in consultation with the Viceroy, such nominees being ordinarily selected from officials resident or serving in India. The present practice of the Imperial Conference excludes non-official representatives. It would of course be incumbent on these nominees to act in the Conference in conformity with the policy and wishes of the Secretary of State. Just as in the case of the self-governing Dominions, the Ministers accompanying the Prime Minister have to take their policy from him, and the constitutional position of the Secretary of State is infinitely superior.

"I have thought it desirable to put before you all the difficulties and obstacles that present themselves to the attainment of the object that we all desire and have in view. At the same time, I am authorised by His Majesty's

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Government, while preserving their full liberty of judgment and without committing them either as to principles or details, to give an undertaking that an expression of opinion from this Imperial Legislative Council, in the sense of the Resolution that is now before us, will receive most careful consideration on their part, as expressing the legitimate interest of the Legislative Council in an Imperial question, although the ultimate decision of His Majesty's Government must necessarily depend largely on the attitude of other members of the Conference.

"This is, I venture to think, all that we can reasonably expect at the present time, and that such a pledge is eminently satisfactory as showing due consideration for the claims of India. We can only hope, with trust and confidence, that, when the right moment arrives, these claims may merit the approval and support of His Majesty's Government and receive sympathetic consideration from the Governments of the self-governing Dominions.

"We have no knowledge of the date when the next Imperial Conference will be held, nor what form it will take. But much has already happened, since the last Conference was held in 1911, which will leave a lasting mark upon the British Empire, and it is to me inconceivable that Statesmen of such distinguished ability and far-seeing patriotism as the Premiers and Ministers of the self-governing Dominions will not have realised, from recent events, the great and important position that India occupies amongst the various Dominions and Dependencies composing the British Empire. It is true that India is not a self-governing Dominion, but that seems hardly a reason why she should not be suitably represented at future Conferences. India's size, population, wealth, military resources, and, lastly, her patriotism demand it. No Conference can afford to debate great Imperial issues in which India is vitally concerned, and at the same time to disregard her. To discuss questions affecting the defence of the Empire, without taking India into account, would be to ignore the value and interests of the greatest military asset of the Empire outside the United Kingdom. So also in trade, to discuss questions affecting commerce within the Empire, without regard to India, would be to disregard England's best customer. To concede the direct representation of India at future Imperial Conferences does not strike me as a very revolutionary or far-reaching concession to make to Indian public opinion and to India's just claims, and I feel confident that if, and when, this question is placed in its true light before the Governments of the self-governing Dominions, they will regard it from that wider angle of vision from which we hope other Indian questions may be viewed in the near future, so that the people of India may be made to feel that they really are, in the words of Mr. Asquith, 'conscious members of a living partnership all over the world under the same flag'."

**The Hon'ble Sir Gangadhar Chitnavis :—**"My Lord, I beg to thank Government for having accepted this Resolution, and for having promised to make every effort to secure for this country an opportunity to take part in the counsels of the Empire. The association of Indian representatives on this Conference is necessary for the promotion of mutual acquaintance and respect among this country and the Colonies. Local experience is essential for wise and good government ; hence the necessity for direct representation. The great War of to-day is being fought by the people. The politics and commerce of the iron age that is now to follow will be conducted on the widest national lines for the people's benefit.

"The acceptance of this Resolution by Government, with the permission of the Secretary of State, is in consonance with the highest ministerial assurances that the amazing outburst of Indian loyalty of last year had created a better feeling towards us among the English people, and that it would lead to the initiation of a policy of greater trust and confidence. India has given the clearest proof of the identity of her interests with those of the self-governing parts of

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His Majesty's glorious Empire. The country has, along with other parts of the great Kingdom, in accordance with her humble means, shared the burden of the Empire which will, I am sure, never again be laid. We have begun to learn to think imperially. We realise that, as citizens of the Empire, we are members of a great Imperial family. Our loyalty is admittedly unimpeachable, and the great heart of the nation is absolutely sound.

"I therefore again thank Government for the announcement that has now been made by your Excellency, and for the sympathetic and statesmanlike sentiments you have just expressed in regard to this country in making this announcement."

**The Hon'ble Sir Fazulbhoy Currimbhoy:—** "My Lord, I am glad my friend, the Hon'ble Mr. Shafi, has moved this Resolution. Hon'ble Members will remember that this subject of Indian representation at the Imperial Conference was pressed by me in Council on 17th March last, and if I did not move a Resolution then, it was only with the object of not embarrassing Government. My Lord, before proceeding further, I cannot help but digress in order to allude to this fresh mark of your Excellency's unquenchable devotion to the welfare of the people of this country as shown by your admitting for discussion this Resolution which has, I may safely say, the unanimous approval of the country.

"I have always felt that the present exclusion of India from the *Imperial* Conference lacks justification. Hon'ble Members will be pleased to note that the periodical Conferences at which we claim representation are no longer Conferences of Colonial Premiers, but are 'Imperial' Conferences of the representatives of the different units of the Empire. The adoption by these Conferences of the wider and more comprehensive name 'Imperial,' invests them with an importance much beyond what they had in the initial stages, and renders their proceedings of paramount importance to the whole of the British Empire. The 'Imperial idea' of the late Mr Joseph Chamberlain, which was the basic and constructive principle of these Conferences, would be meaningless if any important unit of the Empire was left out. That India is an integral unit of the Empire, which it would be folly to ignore, cannot be denied.

"My Lord, however great, however attractive the 'Imperial idea', the Colonial Premiers' Conference would not have assumed the importance it did within a few years of its inauguration, were it not for the fact that the self governing Colonies rendered material assistance to the United Kingdom at the Boer War. The union with the Colonies was thus sealed with blood. It is a pity India was not allowed her legitimate share of the responsibility as a unit of the Empire on that occasion. It was not that she was reluctant to help England; but the old idea still dominated the counsels of the Imperial authorities, that the Indian soldiers should not be pitted against the European enemy. Race prejudice prevailed, and the Colonies got all the chance and all the credit for the help, notwithstanding the fact that some Indians did go to the Front as non-combatants. Had we the opportunity fifteen years ago, as we now have through the noble initiative and efforts of your Excellency, of helping England with men and money in her hour of trouble, the Ministers would, in all probability, have admitted India into the Imperial Confederacy in 1902. But this speculation need not be pursued further. The history of these Conferences warrants the conclusion that substantial and unmistakable proof of the identity of interests of one part of the Empire with those of the United Kingdom, such as is provided by loyal help in war, entitles that part to an honourable share in Imperial deliberations.

"To put it more tersely, assumption of responsibility is an enabling condition of acquisition of power. On the present occasion too the question is seriously mooted that the self-governing Colonies should be given a larger share in the administration of the Empire in appreciation of the great help rendered

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by them in the European war. The same principle applied to our case for representation would appear to be not only strong but irresistible. If the statements of high authorities have any meaning, the assistance rendered by India to the Allies is as valuable as that rendered by the Colonies. The only difference has been due to the absence of an Indian navy. It would be wrong to contend that the proposed larger powers of participation could be fairly given to the Colonies in appreciation of their services without India being given a place in the Imperial Conference in recognition of her equally loyal and unstinted support. This cannot be done without the abandonment of all accepted principles of justice and fairplay. Mr Joseph Chamberlain, in his inaugural address at the Conference of 1902, observed :

‘ The link which unites us, almost invisible as it is sentimental in character is one which we would gladly strengthen.’

“ The link between England and India naturally escaped his notice then ; but the present war has made it patent to all impartial observers, and there would be few living Statesmen, either in the United Kingdom or the Colonies, who would not be glad to strengthen it by the same generous process of admission of India into the Imperial Confederacy and the counsels of the Empire.

“ My Lord, it is just possible to raise a technical difficulty to the grant of the concession. It might be argued that India is a Dependency, and, as such, holds a position inferior to that of the Colonies. *Ex hypothesi*, she cannot have an equal status with the Colonies at the Conference. A scrutiny will expose the unsoundness of the position. India is undoubtedly classed as a Dependency, but this is more in view of her present stage of political development than from any false idea of her subjection to England. By our gracious Sovereigns we have always been treated in the same way as their other subjects ; equality of status has been assured to us by more than one document of unimpeachable authority. Even in the matter of internal administration, the trend is definitely towards self government although the consummation is yet far away. In the field of battle we are comrades of these Colonials. The advancement of any argument of supposed political inferiority to defeat our claim, which is founded upon justice and the highest considerations of Imperial statesmanship is unthinkable. The present temper of the Colonials is favourable to India. Now that the Colonials have mixed with our countrymen in the different theatres of the war as comrades in arms, they have, from all reports, modified their views about us, and much of their present prejudice against us has disappeared. A new friendship has grown up between the two classes of His Majesty's subjects on the stricken field which is full of the best augury for the future. It is ungenerous to suppose that the Colonial is wanting in a sense of justice. A brave people with fine impulses, such as these Colonials undoubtedly are, cannot fail to appreciate merit and to take a just view of the rights of other parties. It is true we have had our troubles with the self governing Colonies ; but we cannot ignore the fact that a great deal of the difficulty of the situation has been due to economic causes. But when such causes are absent, as in the case of Indian representation at the Imperial Conference, the Colonies will surely not have any serious objection to recognise the equal status of India as a component part of the Empire. I have the liveliest hope that, with their present appreciation of Indian loyalty and Indian bravery, the Colonies will welcome India into the great Imperial Confederacy, and accord to it a seat at the Imperial Conference. They will realise that the subjects discussed at the Imperial Conference are of supreme interest to India also, and that it would be unfair for the Colonies to advise the Imperial Government about matters of general interest to the Empire, and of particular interest to India, while she is denied her legitimate say. And further, that would be a denouement in flat contradiction with all that has been said in responsible quarters of the just reward of Indian loyalty, Indian valour, and Indian support, and it would be difficult to justify such a position. I am loath to

[*Sir Fazulbhoy Currimbhoy ; Mr. Surendranath Banerjee.*]      [22ND SEPTEMBER, 1915.]

believe that, after we have given the most conclusive proof of our unswerving fidelity to the Empire, we shall look in vain for the fruition of our hopes even in this matter of direct representation at the Imperial Conference. I am sure, under your Excellency's wise and statesmanlike guidance and with your Excellency's earnest and powerful support, we shall get this right in the immediate future.

"With these observations, I support the Resolution."

**The Hon'ble Mr. Surendranath Banerjee:**—"My Lord, I think I speak the sense of my non-official colleagues on this side of the House when I say that there is at the present moment but one feeling which is uppermost in our hearts, and that is of deep gratitude to your Excellency for accepting the Resolution and for the terms in which you have been pleased to notify that acceptance. They contain that true ring of genuine sympathy and of active concern and solicitude for our interests which have enshrined your Excellency's name in the grateful recollections of my countrymen.

"My Lord, you asked us to state our views upon the proposition that has been placed before this Council, and I am sure, my Lord, you expect us to state them with perfect frankness and candour. My Lord, fifteen months ago such a Resolution, as the one which has been introduced by my friend to-day, would have been deemed hopelessly premature; but the aspect of things has changed and the war has brought about a complete transformation in the current of public opinion both here as well as in England. War is one of the direst of human calamities, but, my Lord, there is no cloud without its silver lining, and this war has afforded us the opportunity of demonstrating to the world our undying devotion to the British Empire, an Empire which stands for us as the emblem of, and the guarantee for, the steady and progressive development of constitutional freedom in this great and ancient land.

"The loyalty of our people and the courage of our Indian troops have made a profound impression upon British public opinion. My Hon'ble friend, the Mover, has referred to the change in the angle of vision on the part of the British democracy upon which the late Under Secretary of State for India dwelt with so much eloquence. My Lord, this change of attitude on the part of the British people is not confined to any particular class or to any particular section, but is universal. The 'Times' newspaper—not always friendly to our interests—thus observed the other day :

'We must see to it that after the war is over we secure to India an ampler voice in the counsels of the Empire.'

"Mr. Bonar Law, speaking at the Mansion House, observed that, after the termination of the war, every part of the Empire must have its share in the control and management of the affairs of the Empire. My Lord, the feeling has penetrated even to the Colonies and found expression in the utterances of their most illustrious Statesmen. Sir John McColl, Agent-General for Tasmania, in a speech that he delivered at the Royal Colonial Institute, observed that not only India but that also the Crown Colonies should be invited to send their representatives to the Imperial Conference, which should discuss all questions affecting the Empire.

"My Lord, in view of a situation so full of hope and promise, it seems to me that my friend's Resolution does not go far enough. He pleads for *official* representation at the Imperial Conference: he does not plead for *popular* representation. He urges that an address be presented to His Majesty's Government, through the Secretary of State for India, for official representation at the Imperial Council. My Lord, official representation may mean little or nothing. It may indeed be attended with some risk; for I am sorry to have to say—but say it I must—that our officials do not always see eye to eye with us as regards many great public questions which affect this country; and indeed their views, judged

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from our standpoint, may sometimes seem adverse to our interests. At the same time, my Lord, I recognise the fact that the Imperial Conference is an assemblage of officials, pure and simple, consisting of Ministers of the United Kingdom and of the self-governing Colonies. But, my Lord, there is an essential difference between them and ourselves. In their case, the Ministers are the elect of the people, their organ and their voice, answerable to them for their conduct and their proceedings. In our case, our officials are public servants in name, but in reality they are the masters of the public. The situation may improve, and I trust it will, under the liberalising influence of your Excellency's beneficent administration; but we must take things as they are, and not indulge in building castles in the air which may vanish 'like the baseless fabric of a vision'. My Lord, much will depend upon the questions that will be discussed at the Conference. Your Excellency has referred to some of these questions, and with your Excellency's permission, I desire to point out that whatever difficulties there may be in regard to official representation, they are very much minimised in view of the topics that are likely to be considered by the Conference. These questions, as your Excellency has pointed out, include Imperial defence, the commerce and trade of the Empire, and, lastly, the question of Indian immigration into the Colonies. Is there any cleavage or difference of opinion between officials and non-officials as regards these matters? My Lord, if we examine the matter, we shall find there is very little. As regards the first, the question of Imperial defence, I take it that there is none. Officials and non-officials, representatives of the people and representatives of the Government, we are all animated by a common sentiment of devotion to the Empire, and by the firm resolve to defend it at all costs and at all hazards. No doubt the question of the equitable distribution of the financial burden may involve some difference of opinion, but let me gratefully recognise the fact that the Government of India, throughout the long controversies that have taken place on this question, have strenuously endeavoured to uphold the claims of India. What is even more valuable, there is a growing feeling in England to do justice to the financial interests of India. As regards trade and commerce, we of the educated community are all protectionists; the Colonies are also protectionists; and public opinion in England, so far as we can gather from the statements in the newspapers, is steadily veering round to the side of protection. The other day, a deputation waited upon the Prime Minister—a mixed deputation consisting of free-traders and protectionists—and they urged the imposition of import duties. That, my Lord, is a very significant fact. Therefore, as regards trade and commerce, I take it that there will be no cleavage between official and non-official opinion.

“Coming now to the question of Indian immigration into the Colonies, my Lord, its consideration has been very much simplified by your Excellency's great pronouncement upon the subject. Your Excellency was pleased to lay down the policy which should be followed in this matter, and that is a policy of reciprocity. My Lord, I am perfectly sure that any official representative of the Government of India sitting in the Imperial Conference cannot possibly ignore the weighty pronouncement of your Excellency.

“Therefore, my Lord, as regards most of the questions that are likely to be taken up by the Imperial Conference, it may be assumed that there will be little or no difference, or cleavage, between official and non-official opinion. But, my Lord, there is one argument of overwhelming importance which seems to me to be wholly decisive of the issue, and that is this: if this Resolution be accepted and given effect to, it will mean the definite recognition of India's claim to a place in the Imperial Conference. That may mean little or nothing. Perhaps, at the present moment and under existing conditions, it means little or nothing. But, my Lord, it is by and through these little things, as all history tells us, that the great fabric of constitutional freedom has been built up. We cannot forego our opportunities, however trivial or insignificant they may be. I feel sure, my Lord, along with the rest of my countrymen, that the time is fast approaching when even in India public opinion will become irresistible,

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and our officials, who are public servants in name, will really become the servants of the public. My Lord, if this Resolution is accepted and the concession is granted, one point at least will have been gained in the definite recognition of the fact that India is entitled to a voice in the counsels of the Empire. To-day that voice may be official, to-morrow it will be popular. In that hope and confidence I support the Resolution.

“ One word more, my Lord, and I shall be done. Your Excellency’s Government has been pleased to accept this Resolution, and possibly the Resolution will be given effect to by His Majesty’s Government. My Lord, if there is to be official representation, may we not suggest that the officials may be selected by this Council—one of whom I hope will be an Indian—subject to the approval of the Government of India? My Lord, our delegates will then go forth to the Imperial Conference as the chosen representatives of the Government and the people alike.”

**The Hon’ble Mr. Dadabhoy :—**“ My Lord, I trust the Resolution will meet with the unanimous approval of the Council. As far as I understand, the principle of representation is not so much in question. The Imperial Government would appear to have accepted the principle that India should be represented at the Imperial Conference on particular occasions. On 29th March, 1911, Mr. Lloyd George, in reply to a question in the House of Commons, stated that ‘the Prime Minister will take any steps necessary to ensure the representation of India when required’. But the Imperial Government was of opinion then that representation by the Secretary of State for India was sufficient, as on 2nd June, 1911, Mr. Harcourt, on behalf of Government, asserted that ‘representation by the Secretary of State for India meets all reasonable requirements’. And, in pursuance of this policy, at the Conference of 1907, India was represented by Sir James Mackay, of the India Office, who spoke about the proposed inter-Imperial preferential tariffs. At the Conference of 1911, Lord Crewe, as Secretary of State for India, stated the case for India on the motion for ‘wider legislative powers in respect to British and foreign shipping’. The Resolution before the Council does not thus propose any violent change in the existing order of things. It does, however, suggest modification of the rules in two material respects. In the first place, it recommends Indian representation *as of right*, and in the next place, *direct* representation from India is recommended. And the issue before us is, whether this is necessary?

“ My Lord, even a cursory review of the history of the Imperial Conference will show that it deals, and it is intended that it should deal, with matters which concern India in common with the other parts of the Empire. The root-idea was ‘the desirability of drawing different parts of the Empire closer together for purposes of defence and commerce’. Mr. Joseph Chamberlain advocated this from 1887 onwards, and he availed himself of two great ceremonial occasions to gather together in conference the representatives of the self-governing Colonies. The idea gradually developed of calling an Imperial Conference for business, and in 1907, as pointed out by Sir Henry Campbell-Bannerman, the Conference of that year, the first of its kind, was ‘specifically summoned for the purpose of business’,—‘a discussion of the matters which are of common concern to us all’. In 1911, Mr. Asquith, in the course of his inaugural address at the Conference, stated that—

‘ It is the primary object and governing purpose of these periodical Conferences that we may take free counsel together in the matters which concern us all.’

“ Now, in view of these weighty statements, the decision on the issue formulated above hinges upon the determination of the further issues, whether India is a unit of the Empire, whether India is interested in the maintenance of British power, and whether the matters discussed at the Imperial Conference concern India? There could be but one answer to all these questions.

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It is beyond question, true that, so far as the Imperial Government is concerned, we, His Majesty's Indian subjects, occupy the same position in the British Empire as His Majesty's Colonial subjects, and equality of citizenship has been guaranteed to us both by Statute and Royal Proclamation. The Charter Act of 1833 and the Royal Proclamations of 1858 and 1908 are in point. The Charter Act recognised 'definitely and finally, the equality of status, of rights and of duties of the Indian subjects of His Majesty with the British subjects'. The Royal Proclamations proceed upon the assumption that India is a unit of the Empire. There is no distinction in all this between one class of subjects and another, and the idea obviously is that India is as good a unit of the Empire as any of the self-governing Colonies. In His Gracious Message to India of September 8, 1914, His Imperial Majesty feelingly referred to—

'The unanimous uprising of the populations of my Empire in defence of its unity and integrity.'

"This pronouncement is remarkable for the same absence of all distinction between India and the Colonies.

"Thus, constitutionally, we enjoy the same status as the Colonials, and India does form a unit of the British Empire in the same way and to the same extent as the Colonies. This status is unaffected by the difference in the degrees of political development of the two component parts. Similarly, in the matter of defence of His Majesty's Realm, India is equally deeply interested. Mr. Bonar Law, on 13th July, 1915, in speaking in Parliament of General Botha's services, made a pointed reference to the help rendered by India, Australia, New Zealand and Canada, and observed:—

'They have come entirely of their own free will, not merely to help us in *our* quarrel, but to take part in what they regard as *their* quarrel, and to defend the Empire which was assailed, which was *theirs* as much as *ours*.'

"This is unequivocal testimony to India's interest in the defence of the Empire in common with the United Kingdom and the Colonies. On 16th September, 1914, Mr. Asquith, speaking about the cost of the Indian Expeditionary Force in Parliament, gave expression to 'an acknowledgment, sincere and heartfelt, of the spontaneous and splendid assistance which our great Dependency of India is giving us'. If we had no interest in the defence of the Realm, why should we offer all this assistance to England at this crisis? Nay, for the maintenance of British power, India is as keen and as necessary an associate of the United Kingdom as the Colonies.

"With regard to the third point, apart from the weighty statements about the purpose and scope of the Conference referred to above, the mere fact that the India Office is consulted about certain matters discussed at the Conference, even though India has so far not secured a rightful position at it, proves conclusively that that body deals with matters which concern India as much as the other parts of the Empire. Indeed, the very idea of a British Empire presupposes and connotes the existence of common interests which concern every unit thereof. As Sir Guy Fleetwood Wilson pointed out in this Council in March, 1913:—

'The British Empire may be said to be regarded as consisting, not of an aggregation of separate entities with no mutual relation to each other, but of a family of States animated by a common family purpose.'

'And again, it is clear that the development of India in the future must be dependent on, and primarily affected by, the policy pursued by the British Empire as a whole and particularly by the United Kingdom.'

"It is the settlement of this policy of the British Empire as a whole that is 'the governing purpose' of the Imperial Conference. The deliberations of the Conference are thus of deep moment to us. In the light of these facts, there can be no question that adequate representation of India at the Conference is absolutely necessary. And for such representation two conditions

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must be fulfilled. In the first place, India must be allowed a share in the labours of the Conference in the same way as the Colonies, instead of being summoned to plead her cause on special occasions, at its special sittings. It is one thing to appear at the bar of the Empire to advocate, or it may only be to criticise, a particular policy, and it is quite a different thing to co-operate with the representatives of the various units of the Empire in the evolution of a policy which is for the common good. And it is this right of co-operation which India claims, and which must be assured to her to ensure that adequate representation which is of the last importance to her.

"The next important condition is, that India must have direct representation at the Conference, irrespective of the question of the personnel. I have listened with great respect and interest to the position of the Secretary of State in this matter as just explained by your Excellency. The Secretary of State for India is undoubtedly the supreme authority as regards our internal administration. As a Minister of the Cabinet, he also is the protector of our interests in the larger concerns of the Empire. While the dual position gives him a distinct advantage, it may also prove in actual working a disqualification in certain respects. Generally, the Secretary of State comes fresh to office without any previous acquaintance with the special needs of India; and as a party man, his tenure of office is more or less uncertain. It often happens that, by the time he acquires the requisite knowledge of details, he vacates the office, and makes over charge to another Statesman. His Council, it is true, may be expected to have fuller information; but the members cannot have that up-to-date firsthand knowledge which is so essentially necessary, especially in this matter of representation. It comes to this then, that the India Office, in order to represent Indian views at the Conference, must get the requisite information from the Government of India, and depend wholly upon the reports of this Government. But reports, however complete, hardly ever supply the want of firsthand knowledge. And not only that, the Secretary of State for India, being also a Member of the Cabinet, cannot be expected to wholly dissociate himself from the Imperial interests which may not coincide with the special interests of India. It would be more satisfactory, therefore, to depute a special officer or officers from India to represent her at the Conference just as the Colonies send over their Ministers. Indian officialdom is strong and capable enough to act for India at the Imperial Conference. As matters stand at present, some of these very officials, on appointment to the India Council, will have this privilege which is now denied to them. This is a position anomalous and unsatisfactory. Far better the Government of India should have the right of deputing direct to the Conference such among their officers as appear to them most competent to take, on behalf of India, a conspicuous and statesmanlike part in its proceedings. This direct representation will be free from the defects inherent in the present arrangement, and will satisfy the Indian demand for adequate representation, provided of course the first condition of the right of co-operation is assured to the representative or representatives. We all know how direct representation has lately been productive of wholesome results in South Africa, even though Sir Benjamin Robertson had no seat on the Inquiry Commission.

"My Lord, I cannot understand how, with due regard to justice, our demand can be refused. In His Gracious Message to India of November, 1908, His Majesty pointed out —

'Important classes among you, representing ideas that have been fostered and encouraged by British rule, claim equality of citizenship and a greater share in legislation and government. The politic satisfaction of such a claim will strengthen, not impair, existing authority and power.'

"These are wise words, and ought to be laid to heart by His Majesty's Ministers. Our case for just and equal treatment, moreover, has been enormously strengthened by recent events. Minister after Minister have vied with

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one another in their appreciation of 'India's rally to the Empire'. And the Marquess of Crewe, on September 9th, 1914, speaking of the Indian offer in the House of Lords, gave greater credit to India than to the Colonies, for the cogent reason that 'these Governments are manned by people of our own blood, with countless memories and traditions which centre round these islands'. But the appreciation is not confined to Ministers and Parliament; it is general, and the whole British nation has nothing but sympathy for us. Mr. Montague's celebrated reference in Parliament to a change in the official 'angle of vision' lends support to this view. We all feel our staunch loyalty, our devotion to the Empire, our sacrifices will not go unappreciated; we hope our action has given a deathblow to race prejudice all over the British Empire. The times are propitious for an extension of our rights as an Imperial unit. And it is a source of sincere joy to us that your Excellency has once again come forward to vindicate the honour of India by accepting this Resolution. With your Excellency's mighty help, in the present temper of the British nation and the Colonials, we ought to gain an honourable place in the federation of the Empire. The East, my Lord, is moved by sentiment; and even if it were only a matter of sentiment, which it is not, it would be statesmanship to give India a definite status at the Imperial Conference. We seek honour; we want the confidence of our rulers. If, in the judgment of the civilised world, we have deserved these, they should come to us without delay. It would be gratifying to the growing self-consciousness of the people of this country to be admitted into the Imperial Confederacy on equal terms with the Colonials. Will the Imperial Government, will the Colonial Governments be reluctant to remove once for all our badge of inferiority and to raise us in the scale of nations? My Lord, representation is the very foundation of the British constitution,—the accepted creed of civic development in the British Empire. Can it be that India alone among the federal units is to be denied this common privilege on the central Council of the Empire? We believe not, we hope not."

**The Hon'ble Mr. Setalvad :—**"Your Excellency, I confess that, when I read my Hon'ble friend Mr. Shafi's Resolution, I was not very much pleased with it, and I do confess too that, after earnestly and respectfully hearing what has fallen from my Hon'ble colleague and from your Excellency, I still adhere to that view. If the few observations, I propose to make, seem to strike a discordant note, I implore your Excellency and the Council not to misunderstand me. I do not underrate the importance of the demand made by this Resolution, nor do I deny the desirability of securing what it demands. But I do think, and I still hold to that opinion, after hearing what has been said, that it would have been desirable if this Resolution had been postponed to a more convenient occasion. I will explain in a few words, your Excellency, what I mean. The war that is going on has been an eye-opener, and has brought home to many people the necessity of a re-adjustment of their views about India, its people and its government. Not that it has created anything new, but it has brought vividly to the minds of people who did not before realise the real circumstances, the reality of the position. India has been, and always will be, loyal to the British Crown; all her best interests are bound up with the honour and glory of the Empire. This war has demonstrated more than anything else that India, steadfastly loyal to the British connection, will strain every nerve and make every sacrifice for maintaining unimpaired the prestige and position of the Empire. India has been fighting for the cause of freedom and liberty on the soil of Europe shoulder to shoulder with England, France, Russia and the other Allies, and it is freedom and liberty in their own land that Indians will naturally expect. I do trust and hope that, when the war is over and the time comes to take stock of things, there will be such a re-adjustment made in India itself with regard to its government, that India will be able to secure its goal and what, I submit, it has a right to expect, namely self-government within the Empire; it wants and expects the constitution of the Government in this country to be so re-adjusted as to make the Government really responsible to the people; in fact, what is needed is the government of

[*Mr Setalvad ; Mir Asad Ali.*]

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the people in reality by and through the people. I am quite alive, your Excellency, to the fact that it is not a very easy problem to adjust, that there are enormous difficulties that will require to be solved before we arrive at a satisfactory conclusion regarding the matter, a conclusion that will satisfy the people, a conclusion that will be in their best interests, a conclusion that will be good for the whole of the Empire. I, therefore, hoped that nothing would be done piece-meal and in a hurry at this juncture. In that view, the present proposal which asks merely for official representation to the Imperial Conference, it would have been much wiser to have postponed to a more convenient occasion. As I have submitted, at the end of the war, the question of the future government of India must, and will have to, be taken into serious and immediate consideration, and if that adjustment is made properly, Indians will and ought to get an effective voice in the government of India that they are entitled to, and when that stage is reached and when that development is come to, India will *then* be in a better position, certainly than it is now, to take its proper place in the counsels of the Empire. What is needed is the remodelling of the constitution on such a basis that India would come into line in some measure with the other self-governing Dominions ; it will then be fitting that India should take its proper place in the deliberations of the Empire. The Hon'ble Mr. Shafi has asked for representation at the Imperial Conference ; but I venture to think that, when after the war is over, a reconstitution of the Government of India, in the manner I have indicated, is effected, then will the time be to ask for India to be given its proper place in the deliberations of the Empire.

“ Holding these views, your Excellency, I did not view the introduction of this motion at this stage with favour, and I do apprehend that, although people will no doubt realise to some extent the importance of what is now asked for, what it means and what underlies it, still, in the popular mind there is likely to be a misunderstanding. What will be said, I do not for a moment say, truly or justifiably—will be that the first movement made, regarding what is to be done in pursuance of the new angle of vision created by what the war has revealed about India, is to secure nothing substantial in the way of remodelling the Government of India, but to get Indian representation in the Imperial Conference, which meets once in three or five years, dealing no doubt with important questions, so far as the Empire is concerned, but not dealing with questions which immediately affect the administration and vital interests of this country. It will also be said that more urgent and necessary things may possibly be postponed, may possibly not be dealt with in the right spirit, and that an attempt is being made. I again say that, although this is not the true position, it is likely to be misunderstood in that way—to give to them what is really not much in substance, and what, though it recognizes a principle, does not affect them in the actual realities of the administration of India.

“ As I said your Excellency, it is with great hesitation and diffidence that I venture to put forward this view. As I have said, my note is slightly discordant in this assembly where everybody seems to be in favour of this appeal for Indian representation in the Imperial Conference being made. I do not underrate its importance for a moment ; it is a thing which will have to be done some day : all that I feel is that it would be much better to stay our hands, to do nothing at this stage, and to wait till the war is seen through. India, till then, wants nothing. Her first care is to see that the war is successfully carried through ; when that is done, immediately take in hand the reconstitution of the Government of India on the lines necessary as well as other important matters that urgently require adjustment. When that is done, all these other things will follow.”

**The Hon'ble Mir Asad Ali :—**“ My Lord, in rising to support the Resolution before the Council, I should like to recall to mind your Excellency's noble utterance in this Council last year. Referring to the

[ *Mir Asad Ali* .]

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despatch of the Indian troops to the theatre of war, your Excellency was pleased to observe,—

‘ There is, I believe, nothing like comradeship in arms before the enemy and joint participation in the dangers and hardships of war to level all distinctions, to inspire mutual respect, and to foster friendship ’.

“ Your Excellency further could not help feeling that, in consequence of the heavy and material sacrifices that were being made by India for the sake of the Empire, better relations would be promoted amongst the component parts of the British Empire. The very comradeship and joint participation, as well as the significant part India has played, and is still playing, in the common defence of the Empire, might have suggested this Resolution, a Resolution submitted with a view to secure and deepen mutual good-will between the different members of the British Empire, to promote the growth of Imperial consciousness, and to develop the modern idea of Imperial partnership.

“ In the evolution of a truly Imperial policy, based upon justice and righteousness, India, the brightest jewel in the Imperial Crown, has much to contribute. For, without India, there can be no Empire in the true sense of the term. Differing widely, as India is, from the self-governing Dominions whose representatives alone for the present constitute the Imperial Conference, she has nevertheless her unique place within the Empire. When compared with any of the five self-governing Dominions in population, revenue and trade, India not only holds her own, but towers above any of them in all or most respects. Among all the British possessions, India alone is the largest customer of the United Kingdom. The value of her imports is more than one-and-a-half times that of Australia, about half as much as that of Canada, nearly four times as much as that of South Africa, and more than twelve times as much as that of New Zealand. While Canada and Australia are certainly bigger than India in mere size, their populations are about one-fortieth (1-40th) and one-sixtieth (1-60th) respectively, of the population of India. Again, India’s vast population is fifty times more than that of South Africa, and three hundred times more than that of New Zealand. As regards their revenues, India’s revenue is nearly three-and-a-half times as large as that of Canada, more than four times as large as that of Australia, more than seven times as large as that of New Zealand, and over four-and-a-half times as large as that of South Africa. Coming to their respective trade figures, what do we find? Here, again, India stands foremost. India’s total trade exceeds that of Canada, by four million pounds sterling, nearly two-and-a-half times as large as that of Australia, and ten times that of South Africa, while New Zealand’s trade constitutes but one-thirtieth of India’s trade. Hence, India occupies the foremost place amongst all the British possessions.

“ ‘ The position of Indians within the Empire ’ was one of the suggested subjects for discussion at the last Imperial Conference ; and the suggestion came from the Commonwealth of Australia, the Dominion of New Zealand, and Newfoundland. As far back as 1907, a desire was expressed for the formation of an Imperial Council, consisting of representatives not only from the self-governing Dominions, but from other parts, such as Crown Colonies, Dependencies, and Protectorates. The Council idea, which meant over-centralisation, had then to be given up in favour of the Conference idea which assured full freedom to each of the self-governing members of the Empire. But the Conference idea admits of sufficient room for expansion, so that it may not be unreasonable to hope for the enlargement in the near future of the Imperial Conference, so as to include India and other portions of the Empire. Now that an opportune moment has arrived, there should be no difficulty in the matter of Indian official representation on the Imperial Conference.

“ India, my Lord, bases her claims upon her important position within the Empire, her vast resources, natural and physical, and her loyal devotion and

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attachment to the British Throne and the Government. Her heroic part in the present world-struggle is not only fully recognised in high and responsible quarters, but warmly appreciated by the British public and the press. No one recognised India's response better than the Prime Minister. The Right Hon'ble Mr. Asquith spoke of 'the magnificent response which the princes and peoples of that country had made to their need', and of 'the spontaneous and splendid assistance which their great Dependency of India was giving them'. The Noble Marquess of Crewe, our former Secretary of State, spoke of the Indian races as representing 'a civilisation of almost untold antiquity' and being 'remarkable in arms, in arts, and in the science of government'. I feel confident that British Statesmen like these who have recognised in India a willing partner, prepared to share the joys as well as the burdens of the Empire, will surely support India's claims to Imperial representation.

"While the objective results may not be far-reaching and even substantial for the present, the moral victory would be great, if India were granted such representation. The inclusion of India would, in the first instance, mean a practical recognition of India's high status within the Empire, and would gradually pave the way for India's steady advancement along the path of self-government. And yet there are some with misapprehensions as to the heavy burden of India in the event of the adoption by the Imperial Conference of an army or naval programme for the common defence of the Empire. But India, while anxious to play a bigger part, should equally be prepared to pay for the new and additional privileges she wishes to enjoy.

"At one of the sittings of the last Conference, the Canadian Premier hoped that the day would come when there would be a grand alliance between all the English-speaking communities; and when that day came, the peace of the world would be assured for ever. Indian communities too are anxious to be taken into the large fold of the English-speaking communities. It seems as if that day is about to dawn soon after England emerges from this unparalleled war stronger, greater, and more victorious than ever she was. When that day comes, my Lord, we too shall be proud of our Imperial connection.

"To the Prime Minister who opens the next Imperial Conference will belong the honour of associating India with the Imperial Conference. May we not hope that the illustrious name of the Right Hon'ble Mr. Asquith, the greatest Statesman of the day, will be associated with this beneficent measure. Now that the angle of vision is widened, and the Indian soldiers fight shoulder to shoulder with their Colonial comrades, neither the Home Government nor any of the Dominion Governments is likely to thwart Indian aspirations. At the same time, I should heartily congratulate the Government of India upon their entertaining this proposal, and trust that this Resolution will meet with the acceptance of this Council."

**The Hon'ble Rai Sitanath Ray Bahadur :—**"My Lord, we are extremely gratified to hear that the Resolution, so ably moved by the Hon'ble Khan Bahadur, has the sympathy and support of your Excellency's Government and of the Home Government. We do not know how sufficiently to express our gratitude to your Excellency for the kind sentiments to which your Excellency was pleased to give utterance. The Resolution, in question, seems to have been drafted, on the line of 'least resistance' to which no one can, reasonably, take any exception. The Hon'ble Mover has given us a sufficiently clear idea of the scope and nature of the Imperial Conference. It is, so to say, the Cabinet of the Empire, in which all broad questions affecting the Empire, as a whole, are discussed. Though this Conference has no statutory basis, yet it exercises a powerful influence in shaping the policy of the British Empire. To this Conference, only the representatives of the self-governing Colonies are invited, and they, with the Prime Minister as President, and Secretary of State for the Colonies as Vice-President, are allowed to take part in its deliberations. My Lord, in my humble opinion, to style the Conference as 'Imperial,' without having any

[*Rai Sitanath Ray Bahadur.*]

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Indian representatives on its Board, is somewhat misleading. It is something like the play of Hamlet with the part of the Prince of Denmark left out.

"The usual title of His Imperial Majesty, our Gracious Sovereign is King of the United Kingdom of Great Britain and Ireland and of all the Dominions beyond the seas, Emperor of India, etc., etc. With your Excellency's kind permission and with the utmost respect, I beg to state that everywhere else, in his vast and world-wide Dominions, His Gracious Majesty is only styled King, whereas in India alone, he is King of Kings, Shahan-Sha Padisha, Raj-Chackerbarty, Samrat, *i.e.*, Emperor. This Imperial title is an appanage of the British Sovereignty, primarily due to the possession of India, and has a peculiar significance of its own and as such, India can legitimately claim her full rights and privileges as a co-partner of the world-wide British Empire.

"My Lord, it is a matter of common knowledge that, by the Great Proclamation of 1858, due recognition was made, in clear and explicit terms, of our just claims to the enjoyment of the full rights of British citizenship. The principles of the Great Charter have, since then, been confirmed and re-affirmed by our successive Emperors and Rulers. My Lord, we are, then, theoretically, on equal footing with the other subjects of His Imperial Majesty. But, in actual practice, our position in the Empire is altogether different. In all matters of Imperial concern, we are nowhere. It is said, and said with much truth, that Providence has placed India in the hands of the British as a kind of trust, and I may say, a sacred trust, with a view that India may be so educated and trained that she may ultimately rise in the scale of nations and take her proper place in the world. My Lord, we believe in that Divine Dispensation which has placed India in the hands of her English rulers. It is therefore fitting, my Lord, that as a practical part of her training, she should be invited and made an associate with the other members of the Empire in the Imperial Conference. My Lord, it is now more than half a century since the Great Charter of our rights and liberties was published. During this interval, owing to various causes, educational and otherwise, a mighty transformation has been going on in India, under the fostering care and guidance of our British rulers. In my humble opinion, India has now reached that stage of her evolution when she may be safely trusted to exercise her full rights as a partner of the British Empire, and take her proper place in the Councils of the Empire.

"Then, my Lord, if we look to the question from the view-point of political expediency, its acceptance becomes all the more appropriate, and it requires no very great argument to commend it to your Excellency's Government. England is not now a little island-Kingdom in a corner of the Great Atlantic Ocean, absorbed in her own local interests and concerns, but the centre and heart of a vast and mighty Empire, regulating and bringing into a harmonious whole the diversified interests of her several component parts, scattered throughout this wide world. At times, it becomes a very hard task to reconcile these several interests, not unoften, conflicting and clashing. It is for the solution of the problems arising therefrom that a common Council or Conference has become an absolute necessity, and in this Conference, my Lord, I submit, the different interests of the Empire should be properly represented, and India should have her representatives on the Board of the Imperial Conference.

"My Lord, the time has arrived when full rights and privileges of British citizenship should no longer be withheld from us. Not only in the dark days of the Sepoy Mutiny of 1857, but in the present crisis also, when the British Empire is engaged in the greatest war known in history, the civil population, from the highest prince to the lowest peasant, have come forward as one man, to the help of the Government and place their resources at its disposal, and what is more chivalrous and glorious, still in the present crisis, is that the Indian soldiers have responded with alacrity to the call of duty, and are now fighting side by side in the fields of Flanders and France with the British troops and shedding their blood and sacrificing their lives in the cause

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[*Rai Sitonath Ray Bahadur ; Pandit Madan  
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of their Sovereign and in defence of the Empire. What further and better proof can our people give of their unstinted loyalty and faithful allegiance to the British Throne? We have not the faintest doubt, in our minds, of the final result of this fierce struggle, which, we are sure, will add fresh lustre to the British arms, and go further to the strengthening of the British Empire. Though not yet out of the woods, it must be said that the present war, however otherwise deplorable and condemnable it may be, has, at least, done one good that 'it has drawn,' to quote the recent utterances of a great public man, 'the whole of the British Empire together and forged new links of unity. In that unity, India has won, for herself, a place by a devotion that touched the heart of England—Responsible British Statesmen have freely acknowledged the title she has acquired to a reconsideration of her position in the Empire. The future will unfold what the finger of Fate has traced on the scroll of India's destiny.' But, for the present, this much we may safely demand that, as an earnest of what we may justly expect in the future, representatives from India should be allowed to take part in the deliberations of the next Imperial Conference. This is, my Lord, indeed a very modest request. The way in which India should be represented in the Imperial Conference is a matter of detail which may be worked out hereafter.

"With these words, I heartily beg to give my humble support to the Resolution."

**The Hon'ble Pandit Madan Mohan Malaviya:—**"My Lord, I should hardly have taken up the time of the Council with any remarks on the Resolution before us after what has fallen from your Excellency, but for the view which has been expressed by one Hon'ble Member regarding the propriety of taking up this Resolution at the present time. My Lord, I do not yield one inch to any friend of mine in my desire, in my earnest hope and desire, that the constitution of the Government of India should be materially modified after the war is over. I belong to the same school to which my friend the Hon'ble Mr. Setalvad belongs, and look forward with confidence to the introduction of self-government in India after the war is over. But I think that my friend has unnecessarily mixed up the question which is before the Council with the question of the future government of this country. I think, my Lord, he is mistaken in the view that this Resolution will be regarded by the Indian public as having been taken up prematurely. It is widely recognised that, in view of the opinion expressed by Mr. Bonar Law that Colonial Governments will be represented at the Imperial Conference, it became necessary that the question of India, also being represented at such Conference, should be brought up before your Excellency's Government, and I am sure the Indian public will heartily thank your Excellency for having allowed this question to be mooted at this time. My Lord, our thanks are due, in the first instance, to you and in the second instance, to His Majesty's Ministers for having agreed to this question being taken up, and much more so for the reassuring message which they have, through your Excellency, conveyed to us in relation thereto. When that message is read by the public, I am sure there will be much gratitude felt throughout the country for what has been done.

"I congratulate my friend, the Hon'ble Mr. Muhammad Shafi, on the admirable manner in which he has presented the case for India. In view of what he has said and of the remarks which have fallen from your Excellency, it is hardly necessary for me to say anything more in support of the Resolution. I would leave the case for the representation of India as it stood at the conclusion of your Excellency's speech, because I recognise, if I may say so, with gratitude, that the case could not be better put than your Excellency was pleased to put it to-day.

"There are, however, a few points which have been raised, in the course of the discussion, which require clearing up, and I hope the Council will

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pardon me if I detain it for a few minutes with regard to them. I will not take up time by going into the history of the question, for it has been already so admirably dealt with; nor would I refer to the very reassuring utterances, regarding the future position of India in the Empire, which have come to us from our honoured fellow-subjects in England, from the Right Hon'ble Mr. Asquith downwards; nor yet shall I dwell upon the part which India has played in the war. I am sure, my Lord, that every Indian who can think of it feels proud and thankful that India has played her part as she has; and I should think that the one desire of every thoughtful Indian at this moment would be that India should play her part truly and well throughout the world-crisis through which the Empire is passing. It is not time from our point of view to think of boons and concessions; it is not time from our point of view to think of what the future has in store for us; but of one thing only, and that is, to contribute whatever of fighting strength and resources we can to the final triumph of the great and righteous cause in which our King-Emperor and the Empire are engaged.

“ My Lord, we long for the day, the blessed day, when the triumph of Greater Britain and her Allies, will establish throughout the world the triumph of those great principles of truth and justice, of freedom, of humanity and civilisation, for which His Majesty, King George and his Allies, are fighting to-day. And when that day comes, my Lord, the triumph of these principles will have been established, not for the moment, not for the hour, not for the day, but, I confidently hope, for a very long, long time to come. And when these principles have been re-vindicated and more firmly established than ever, I have no doubt that our British fellow-subjects who have done nobly by us in the past, in solemnly pledging to us unasked, by the Parliamentary Act of 1833, equality of rights and opportunities as fellow-subjects of a common Sovereign, and in ratifying and repeating that pledge of equality through their gracious Sovereign, the late Queen Victoria in 1858, I have no doubt, my Lord, that our British fellow subjects will, when that happy day arrives, recognize the claim of Indians to a complete and practical equality of citizenship in the Empire, and that self-government within the Empire and many other advantages will inevitably follow in the wake of such recognition. At the present moment, I value this Resolution, because it seems to me to cast a shadow of coming events. It shows in an unmistakable manner that your Excellency's Government regards the aspirations of Indians in a kind and sympathetic spirit, it shows also that His Majesty's Government look at questions concerning India in a similar spirit. This is a happy augury for the future.

“ My Lord, there is one other point to which I should like to refer. It has been said by one of my esteemed friends here that the Resolution speaks only of India being officially represented at the Conference, and objection has been taken to the Resolution on that score. I think that was due to a rather cursory reading of the Resolution. What the Resolution aims at securing is, that India should, in future, be officially represented at the Imperial Conference. The remarks which your Excellency was pleased to make, make it clear that the representation has to be arranged after taking many things into consideration. But it does not, I was glad to gather from your Excellency's remarks, shut out the possibility of a non-official being associated with the official representative of the Government of India at the Conference. As each country can be represented by two representatives, even if an official must be appointed, as I take it one would be, there is nothing to prevent the second representative being a non official elected by this Council or by a larger constituency and approved, if necessary, by the Government of India, and the Secretary of State. There is nothing to prevent such a representative taking part in the Conference and pleading before our fellow-subjects, representing the various other Dominions of the Empire, the cause of the 332 millions of His Majesty's subjects in India. I take it, my Lord, that when the details come to be considered, this point will be borne in

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mind—I trust that it will be borne in mind—and I hope that India will be represented at future Conferences officially no doubt, because otherwise the representation would not be worth having, but represented not merely by an official of the Government of India, as the term is ordinarily understood, but also by one of those unsalaried officials of the King who labour in their own way and according to their own light, to serve the Government and the people.

“ My Lord, with these words, I heartily support the Resolution which is before the Council.

**The Hon'ble Sir Ibrahim Rahimtoola :—**“Your Excellency, I welcome the Resolution as it claims the right of India's recognition as a member of the Imperial partnership. I do so, especially in view of the remarks which the Right Hon'ble Mr. Asquith made in welcoming the delegates to the Conference held in 1911. In the course of his speech, Mr. Asquith said :

‘ And I may add a common trusteeship whether it be in India or in the Crown Colonies or in the Protectorates or within our own borders, of the interests and fortunes of fellow-subjects who have not yet attained, or, perhaps, in some cases may never attain, to the full stature of self government.’

“ Your Excellency, according to this view, the Imperial Conference consists of a Board of Trustees to determine various problems arising in the government of Greater Britain. If that is so, I think the claims of India to representation on this Board of Trustees is indisputable. Its importance as a part of the British Empire, to my mind, definitely establishes the claim which we are putting forward to-day for such representation on, what I will again call, the Board of Trustees of the British Empire. India has not yet reached the stage of self-government, but whether India reaches that stage in the near future, or in the distant future, it ought not, in my opinion, to weigh in the consideration of its right to representation on a Council which deals with most important problems concerning the British Empire. I, therefore, cordially welcome the Resolution, and trust that it will receive the unanimous approval of this Council. Your Excellency, there is one observation which I should like to make in connection with to-day's debate, and that is, the repeated references which have been made in most of the speeches to the services and the sacrifices which India has made in connection with the war. Personally, your Excellency, I would have preferred that no such reference had been made. If India has served the Empire, if India has made sacrifices, it has done so as a call of duty, and not with the intention of getting rewards or recompense. India has borne its share of the burden of smaller wars in the past, and I am sure if another such crisis—which Heaven forbid—again arises in the history of the British Empire, India will, apart from any internal differences of opinion, which may then prevail, again rise as strong and as formidable to share in the duties and responsibilities of the Empire, I repeat, without hope of reward or recompense. It is for this reason, my Lord, that I wish that these frequent references to India's services and sacrifices had not been made. We certainly demand further political privileges, not because we have shared the responsibilities of Imperial partnership, but because we claim that we are gradually and steadily advancing under the fostering care of Britain, and are becoming daily more qualified to receive greater political privileges from the British Government. It is for these reasons that we claim not only India's recognition on the Imperial Conference, but we propose to claim, as soon as the proper opportunity arises, greater political privileges for which the country has become ripe. Your Excellency, I hope that the recognition of India's right to be a member of the Imperial partnership will receive official sanction, and that at the next meeting of the Imperial Conference, India's representatives will be officially invited to participate. I am constrained to admit, in view of what your Excellency has pointed out, that, in the first

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instance, India's representatives should be officials. I do not wish to raise any controversial point on the present occasion, but I cannot help expressing the hope that Government will favourably consider the suggestion which has emanated from my Hon'ble friend Mr. Surendranath Banerjee, namely, that some method should be devised by which the official representatives should have the hall-mark of approval of the non-official element in this Council. Under such a system, if adopted, the hands of the official representatives will be greatly strengthened in putting forward the views and claims of India in regard to the various measures which will come up for consideration before the Imperial Conference.

"Sir, I am one of those who, while welcoming India's recognition on the grounds I have already mentioned, do not very greatly believe in the full realization of the rosy picture of results which has been so eloquently painted during the debate. I am hopeful, however, that if the officials of the Government of India work in sincere co-operation with the non-official element in this Council, and unitedly press through their official and non-official representatives on the Imperial Conference for greater freedom in the matter of our fiscal policy and various other reforms, which are India's crying wants at present, we may be able to achieve for India something substantial.

"Your Excellency, there is one thing which I cannot help remarking. We all desire that the non-official members of this Council should, in some form, be associated in the choice of India's representatives on the Imperial Conference. Assuming that we are authorized to recommend—I won't say elect—officials and non-officials—and if, after your Excellency's retirement, you would be available, I think they would unanimously invite your Excellency's co-operation in representing India—not as an official, not as a non-official, but as Lord Hardinge of Penshurst. I can confidently say that India will regard it as a great boon if it can secure the services of Lord Hardinge as its first representative on the Imperial Conference."

**The Hon'ble Mr. C. Vijiara-ghavachariar :—**"My Lord, I rise to make a few remarks on the question before the Council. I am sure that I am not going to introduce a highly controversial tone into this morning's debate, and I am prepared to join in asking that the Resolution may be accepted. It seems to me that there has been considerable misconception as to the meaning and scope of the Resolution, and I fear that, in making these few remarks, I shall perhaps wander from the Resolution and from the gracious speech made by your Excellency, but I shall then confine myself to points as to which the speech and the Resolution are silent. The Resolution is as simple and plain in its meaning, as it is modest in its request. It asks for official representation of India on the Imperial Conference, and official representation, as has been already pointed out by one Hon'ble Member, does not mean representation by officials. The expression, 'official relation,' has a well-known meaning. I can say that my relationship to this Honourable Council as a Member of it is an official one, but I believe I am not an official in consequence. It is clear that my Hon'ble friend Mr. Shafi used that word in the Resolution in this sense, and I do not at all see why it should lead to the conclusion that the representation of this country on the Imperial Conference should be necessarily by officials. The Resolution neither confines it to officials nor does it exclude them. What the Resolution asks for is the recognition of a primary right to be represented on the Conference. In this connection, I fail to understand what is meant by our right to representation on this Conference. It is a voluntary body in which a number of Colonial Ministers take part. Constitutionally, it has no more status than the Indian National Congress, the Anglo-Indian Association or the Moslem League. Therefore, I venture to think, my Lord, that it is wholly unnecessary to range

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over the whole set of the relations between England and India, existing and looming in the distance and to the services rendered to England by India and *vice versâ*. We can, I believe, conduct this little business before us to-day as a matter of ordinary significance and routine.

“I perfectly associate myself with my friend, the Hon'ble Sir Ibrahim Rahimtoola, when he said that no references should have been made to the services that are being rendered by our soldiers at the front and elsewhere in view to rewards in return. But I am a lawyer and he is not. The services rendered by our soldiers and the robust and unanimous response made throughout the country to the call of the Empire just at this crisis might well be alluded to, not in view to any reward, but as evidence of our real state of feelings towards England. Our loyalty, like the virtue and love of a true wife, it may be an ill-treated wife, is irrespective of any reward here or hereafter. If our services are referred to frequently, it is as evidence of our true relations towards England. There has been considerable misreading by Statesmen and considerable prejudice among some classes of people in England in consequence of some passing shadows in the national life of India due to exotic influences rather than to causes within India. There has been profound misconception about the matter, and this huge evil, thanks to German *Kultur*, this monstrous war has given us an opportunity to show to England and to the world at large what stuff we are made of. We want no reward, but we desire to secure delayed justice and fairplay forever.

“Your Lordship has doubtless heard very often the saying that we, Indians, are easily pleased. Now, this is an occasion on which I am absolutely disinclined to be easily pleased, and I deprecate any attempt on the part of our rulers to welcome this aspect of the Indian character, because, let them remember, the faculty of being easily pleased implies the correlative of being easily displeased even to easy discontent. As our rulers certainly do not like the latter trait leading to excessive and unhealthy discontent, I hope they will pardon me if I venture to desire that they should not encourage the other faculty of being easily pleased. What is it we are now asking for? I do not know at all what it is we are asking for. We want to go and co-operate with a voluntary body in which some five representatives of the self-governing Colonies and one or two Ministers of State in England meet once in four years, with, I must say, conflicting interests. They, the Colonial Ministers, are all for protection. England is for free trade; and in India, I believe, the problem is not yet finally settled. We, the people as a whole, are for protection, no doubt with special arrangements with England and perhaps even with the Colonies. I believe the Government of India is rather for protection. Now, if our officials go and represent us in this Conference, may I know if what they do and say commit us with the Secretary of State for India and the Cabinet generally? I certainly think it would be very embarrassing for our representatives. If at all it is necessary for us to send a representative or two to this voluntary Conference, I should prefer that the representatives go with credentials and instructions both from the people and from the Government. Now these credentials and instructions may, on behalf of the people, be obtained from the non-official members of this Council, and, I would go further, from the non-official members of the various Provincial Councils in India and Burma. Then at least there is a chance of the true interests of India being represented, however inadequately, in this Conference. Now, what is the business they are going to transact? I fail to understand it quite exactly. A good deal would depend upon the Rules for the Conduct of their Business. Supposing that a Resolution is passed by the majority, is it binding upon all the representatives? Suppose the majority say, ‘The laws, rules and traditions as to the Indian indentured labour should be maintained for another twenty years.’ What is the binding force of it? If this country protests against it, they would say that our representatives have been a party to the Resolution. It does not matter whether they did not accept it.

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There is the Resolution passed by the majority. So it depends upon circumstances whether this representation would be of much use or the reverse to us. I therefore deprecate any rosy or sanguine hopes and expectations being entertained about this matter of representation in this non-constitutional Conference. The reason, my Lord, is this. We are now at a great crisis; soon after this war, England will have to revise her ideas and her ideals as to her policy, internal and international. Then, I believe and hope that Parliament will no longer busy itself with private and parochial affairs to the prejudice of the affairs of the Empire. Under whatever name it may be done, much of the business that is now being transacted in Parliament will have to be abandoned to other Councils. Whether you call it Home Rule, or by any other name, they will have to be abandoned, if England, true to the position which the Fates are raising her to, namely, as the most dominant partner in the family of nations, guiding the destinies of the world, is to maintain that position, she will have to revise her views, her constitution and all. If she does so revise, then, I believe that what India should demand and is entitled to get is seats in the new Imperial Council, and nothing less than that will satisfy us. And I do hope that your Lordship's energies and influence (though this is not the time for me to speak of it) will not be wasted, will not be frittered away in getting for us sweets in the place of solid food. Verily, we want enduring solid food; while the request of the Resolution, if granted to us, would be a sweet to us. Therefore, while I do not oppose the Resolution and I do mean to vote for it and associate myself with it, I should be understood as saying it is an extremely modest request, though not quite an illusory request, and it is not easy for us just now to say whether there might not be some little advantage in securing the object aimed at by the Resolution. With these words, my Lord, I desire to vote for the Resolution."

**The Hon'ble Raja Kushalpal Singh** :—"My Lord, after the very able and exhaustive treatment which the subject-matter of this Resolution has received at the hands of the Hon'ble Mover and also after the pronouncement of the views by the Government of India, I do not think that I should be justified in wasting the time of the Council by repeating what has already been said. But the Resolution is of such vital importance, that I cannot give a silent vote in its favour. On behalf of the large land-holders of the province of Agra, whom I have the honour to represent on this Council, I associate myself with the Resolution, and beg to offer our most grateful and respectful thanks to your Excellency for having accepted the request to which the Hon'ble Mover has given expression. By accepting the Resolution, your Excellency has added another act of gracious kindness to your Excellency's already too numerous acts of kindness and consideration for which your Excellency's honoured name will always remain enshrined in the hearts of the grateful people of India. I have every hope that our representation is certain to receive a sympathetic hearing. We recall that it is made to a Cabinet presided over by the Right Hon'ble Mr. Asquith, who looks upon the British Empire as an Empire which knows no distinction of race or class, where all alike, as subjects of the King-Emperor, are joint and equal custodians of our common rights and fortunes. I have no doubt that the Resolution will meet with the hearty approval of the Hon'ble Council."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur** :—"My Lord, I beg to support the Resolution so ably moved by my Hon'ble friend Khan Bahadur Muhammad Shafi. After the most sympathetic and statesmanlike pronouncement which your Excellency has so kindly made in accepting the Resolution, I do not think it is at all necessary for us to add anything to commend the Resolution for the acceptance of the Council. Your Excellency has all along been very keen in advancing the cause of India, and in supporting its just rights and aspirations, and I doubt not that, through

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[*Maharaja Ranajit Sinha of Nashipur ;  
Khan Bahadur Mian Muhammad  
Shafi.*]

your Excellency's kindness, India will attain all its legitimate aspirations and claims. Some of my colleagues have taken exception to the word 'officially' mentioned in the Resolution, but as far as I could make out from the wording of the Resolution, I agree with my Hon'ble friend Pandit Madan Mohan Malaviya that the word "officially" here does not mean that an official should always represent India in the Imperial Conference; he may be either an official or non-official. The Mover only wants that the representation should be officially recognised by the Government. My Hon'ble friend, Sir I. Rahimtoola, has justly pointed out that we should not always mention about the sacrifices we have made, or the part we have taken in the war. It is our most sacred and bounden duty to place all our resources and humble services for the Crown and the Empire without expecting any reward or compensation on that account. But I think mention of the same is generally made to express our unswerving loyalty to the British Crown. My Lord, India has all along been truly loyal, but there were people at home who did not believe as to its genuine loyalty, and I think, by this war, we have been able to impress upon them that India is truly loyal to the British Crown, and that she is ready to sacrifice whatever she has got in order to be of use to the Empire and the Crown. My Lord, we are indebted and grateful to your Excellency for kindly accepting the Resolution which will give to our country a status and position in the eyes of the civilized world, and your name will ever remain enshrined in the hearts of the people. With these words, I beg to support the Resolution."

**The Hon'ble Khan Bahadur Mian Muhammad Shafi :—**

"My Lord, those of us who are family men are perfectly familiar with the spectacle of children refusing to take food because a particular kind of raiment is not provided for them at *Id* or some other festival. The one discordant note which has been struck in connection with the Resolution, which I have had the honour to move, seems to me to partake somewhat of the nature of the attitude of mind which children adopt on such occasions. My Lord, every country within the British Empire occupies a dual position; that dual position being, on the one hand, represented by what I may call the individuality of the country itself, and the other position being that of a member of the Empire. In this dual position we have two sets of rights and privileges to which India is entitled. In her individuality, India is entitled to certain rights and privileges, and as a member of the Empire, she is, in addition, entitled to another set of rights and privileges. To say that we will not accept the rights and privileges to which India is entitled as a member of the Empire unless we get the rights and privileges to which she is entitled individually is logic, the soundness of which I for one am not prepared to accept. Some remarks have been made by certain of my Hon'ble friends with reference to the use of the expression 'officially represented.' I should have thought that the Resolution, as I have worded it, was plain English with reference to which there can be no possibility of misapprehension. What I have said is not that India should be represented by this set of persons or that; but that India should be officially represented just as British Colonies are represented on the Imperial Conference.

"My Lord, the remarkable unanimity with which my Resolution has been received in this Council is an infallible index of the still wider unanimity that prevails throughout the length and breadth of India in support of the claim I have put forward in this Council on behalf of my country. Moved by the elected representative of the Punjab, whose martial races have been aptly described as constituting not only the backbone, but the whole frame of the Indian Army, the Resolution has been supported by the representative of every province throughout the country. I regard even the Hon'ble Mr. Setalvad's observations as really supporting the Resolution, for he has admitted the necessity of India's representation on the Imperial Conference; only he thinks the demand

[22ND SEPTEMBER, 1915.]

[*Khan Bahadur Mian Muhammad  
Shafti.*]

for it should have been put forward somewhat later. While, my Lord, the Resolution has been supported by all the representatives of every province of India in this Council, it has been accepted by your Excellency's Government, thus showing that, in regard to the claims which I have put forward on behalf of my country, the Government, as well as the people of India, are of one mind. My Lord, in accepting this Resolution, your Excellency has added an immeasurable weight to the debt of gratitude which India already owes to your Lordship, and when, through your Lordship's powerful advocacy, the promise of careful consideration which His Majesty's Government have, through your Excellency conveyed to the Council, will, I for one am optimistic enough to believe, be converted into unqualified acceptance, not only will the heart-strings of the Indians of to-day vibrate with deep gratitude to your Excellency, but your Excellency's name will be remembered with veneration by generations to come, and I shall be thankful to have rendered this humble service to my motherland."

The Resolution was put and accepted.

The Council adjourned to Friday, the 1st October, 1915.

SIMLA ;

*The 30th September, 1915.*

}

W. H. VINCENT,

*Secretary to the Government of India,  
Legislative Department.*



**APPENDIX A.**

*[ Referred to in the Answer to Question 13 ]*

**Statement in Answer to Question (a) asked by the Hon'ble Mr. Setalvad at the Council Meeting of 22nd September, 1915.**

Shipping companies are informed of the requirements of Government and asked to submit tenders. The most suitable tender is accepted provisionally, provided the ship concerned passes a preliminary survey which is held to determine what is necessary to render her suitable for the conveyance of troops. Owners then carry out, at their own expense, such works and repairs, as the surveyors may consider necessary, to render the ship fit for a final survey which is made to ensure that the desired arrangements have been completed, and that the vessel is adequately equipped in every respect for the voyage.

Ships are paid at rate per ton according to gross tonnage. Owners are responsible for all sea-risks.

Government reserve to themselves the right of occupying a ship for ten working days without payment of hire from the date she is ready for sea, to fit her to meet the requirements of troops. Hire charges are paid from the date this fitting is completed, provided all works directed by surveyors to be done are finished. The payment of hire ceases when the vessel is cleared of Government stores. A written notice of discharge is given by the marine authorities.

The cost of special fittings (with the exception of certain minor items), coal and water, as well as canal and harbour dues, are paid by Government.

A penalty clause for the non-fulfilment of tender by the owners of ships provides for the forfeiture of one-fifth of the amount payable as hire charges for one month.

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## APPENDIX B.

[Referred to in the Answer to Question 14.]

*Statement showing the amount spent by the District Boards in certain Provinces on sanitation during 1913-1914 and 1914-1915.*

Province.	AMOUNT SPENT DURING		Remarks.
	1913-1914.	1914-1915.	
	Rs.	Rs.	
Bengal ... ..	4,78,373	7,66,466	The Public Works cess, which was surrendered, has been merged in the District fund, and hence it is not possible to say definitely how much was spent on sanitation out of that cess.
Bihar and Orissa ...	1,95,363	2,94,043	Exact figures showing the amount spent on sanitation out of the enhanced resources are not available.
United Provinces ...	1,02,500	1,19,000	The expenditure was Rs. 63,600 in 1912-13. These figures do not include any expenditure on public works undertaken with sanitary purpose. The contracts with the District Boards provide for a recurring expenditure of Rs. 2,63,600 on sanitation, which will be gradually worked up to.
Punjab ... ..	7,303	13,529	These figures are approximate. Exact figures are not available.
North-West Frontier Province.	3,769	2,301	Two Districts incurred no expenditure on sanitation, while in a third, portion of the savings was utilized on communications, and educational and medical requirements.

**APPENDIX C.**

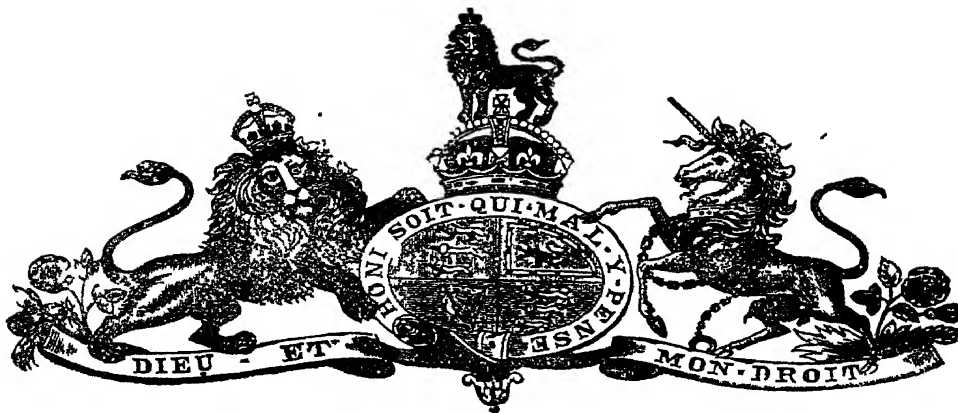
*[Referred to in the Answer to Question 18.]*

Statement showing the number of candidates and the number of failures at the prescribed examinations (including University examinations) in the several provinces of British India during the ten years from 1904-05 to 1913-14.

Province.	Year.			Candidates.	Failures.
Madras	...	1904-05	...	67,038	33,665
		1905-06	...	21,324	13,640
		1906-07	...	21,244	11,200
		1907-08	...	20,591	12,764
		1908-09	...	18,590	9,637
		1909-10	...	19,156	11,905
		1910-11	...	15,625	4,501
		1911-12	...	15,967	5,516
		1912-13	...	17,317	5,582
		1913-14	...	18,187	6,361
Bombay	...	1904-05	...	126,412	54,863
		1905-06	...	142,431	61,997
		1906-07	...	149,057	63,530
		1907-08	...	151,989	64,318
		1908-09	...	156,302	67,371
		1909-10	...	164,840	69,342
		1910-11	...	170,199	73,133
		1911-12	...	176,851	76,404
		1912-13	...	164,160	68,887
		1913-14	...	179,866	71,939
Bengal	...	1904-05	...	175,758	61,122
		1905-06	...	99,288	32,720
		1906-07	...	101,772	33,108
		1907-08	...	101,829	31,908
		1908-09	...	107,829	32,633
		1909-10	...	115,213	31,151
		1910-11	...	125,798	31,431
		1911-12	...	135,621	35,319
		1912-13	...	199,053	53,275
		1913-14	...	204,839	56,434
United Provinces	...	1904-05	...	24,381	7,438
		1905-06	...	30,139	8,551
		1906-07	...	33,568	10,614
		1907-08	...	37,713	11,371
		1908-09	...	39,562	13,204
		1909-10	...	45,095	14,879
		1910-11	...	44,686	14,466
		1911-12	...	48,114	17,642
		1912-13	...	52,327	18,240
		1913-14	...	54,513	18,048

Province.	Year.			Candidates.	Failures.
Punjab	... 1904-05	...	...	22,172	7,358
	1905-06	...	...	22,965	7,199
	1906-07	...	...	24,526	6,552
	1907-08	...	...	26,154	6,711
	1908-09	...	...	8,482	3,204
	1909-10	...	...	8,783	3,726
	1910-11	...	...	9,629	4,052
	1911-12	...	...	9,136	3,900
	1912-13	...	...	9,203	3,480
	1913-14	...	...	9,849	3,888
Burma	... 1904-05	...	...	140,502	40,194
	1905-06	...	...	149,977	44,847
	1906-07	...	...	162,774	48,715
	1907-08	...	...	185,482	55,535
	1908-09	...	...	196,991	61,142
	1909-10	...	...	198,767	64,430
	1910-11	...	...	190,094	61,913
	1911-12	...	...	190,420	61,049
	1912-13	...	...	205,755	68,681
	1913-14	...	...	234,821	76,571
Eastern Bengal and Assam.	1905-06	...	...	67,465	19,881
	1906-07	...	...	66,313	19,264
	1907-08	...	...	67,573	19,001
	1908-09	...	...	73,984	21,480
	1909-10	...	...	79,322	23,248
	1910-11	...	...	85,495	25,341
	1911-12	...	...	96,678	26,130
Bihar and Orissa	1912-13	...	...	51,189	13,695
	1913-14	...	...	56,604	15,319
Central Provinces and Berar.	1904-05	...	...	20,885	7,874
	1905-06	...	...	21,434	7,461
	1906-07	...	...	21,333	7,828
	1907-08	...	...	23,859	7,944
	1908-09	...	...	25,671	8,706
	1909-10	...	...	27,750	10,230
	1910-11	...	...	29,458	11,749
	1911-12	...	...	31,030	12,525
	1912-13	...	...	36,596	13,771
	1913-14	...	...	36,537	14,054

Province.	Year.			Candidates.	Failures.
Assam	... 1904-05	...	...	5,666	2,514
	1912-13	...	...	13,769	5,085
	1913-14	...	...	14,461	5,023
North-West Frontier Province.	1904-05	...	...	1,466	488
	1905-06	...	...	1,608	521
	1906-07	...	...	1,755	525
	1907-08	...	...	1,677	557
	1908-09	...	...	1,834	622
	1909-10	...	...	2,063	660
	1910-11	...	...	597	230
	1911-12	...	...	1,093	392
	1912-13	...	...	1,099	318
	1913-14	...	...	1,154	300
Coorg	... 1904-05	...	...	552	207
	1905-06	...	...	489	202
	1906-07	...	...	26	16
	1907-08	...	...	33	14
	1908-09	...	...	29	18
	1909-10	...	...	39	15
	1910-11	...	...	32	28
	1911-12	...	...	33	24
	1912-13	...	...	16	13
	1913-14	...	...	38	33
Delhi	... 1912-13	...	...	353	135
	1913-14	...	...	352	144



GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA  
ASSEMBLED FOR THE PURPOSE OF MAKING LAWS AND REGULATIONS  
UNDER THE PROVISIONS OF THE INDIAN COUNCILS ACTS, 1861 to 1909  
(24 & 25 Vict., c. 67, 55 & 56 Vict., c. 14, AND 9 EDW. VII, c. 4).

The Council met at the Council Chamber at Viceregal Lodge, Simla, on  
Friday, the 1st October, 1915.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 38 Members, of whom 31 were Additional Members.

## QUESTIONS AND ANSWERS.

**The Hon'ble Mr. J. H. Abbott** asked :—

1. “ (a) Is it a fact that the Madras Educational Department has liberally contributed towards the enhancement of salaries of Masters in European Schools in Madras, but that the same has not been done by the Imperial Government in regard to the European Schools in Bangalore ?”

Enhancement of salaries to Masters of European Schools in Bangalore.

(b) If so, will the Government be pleased to state the reasons for such difference between Madras and Bangalore ?”

**The Hon'ble Mr. J. B. Wood** replied :—

“ (a) From a comparison of three years' figures for teaching grants for European Schools in Madras and Bangalore, it appears that there has been an increase of about 34 per cent in the grants for Madras Schools, as against 20 per cent for Bangalore Schools.

(b) Comparison of masters' salaries in Madras and Bangalore is inconclusive since the European Schools in Madras are under the fixed grant system, but in Bangalore, under the ordinary grant system, and the types of schools are not identical. The Resident, Mysore, has now under consideration the question of enhancing teaching grants for European Schools in Bangalore.”

[*Mr. J. H. Abbott ; His Excellency the Commander-in-Chief ; Mr. Huda ; Sir Reginald Craddock.*]

[1ST OCTOBER, 1915.]

**The Hon'ble Mr. J. H. Abbott** asked :—

Practical  
training for  
Volunteer  
in India.

2. “ (1) Do the Government propose to consider the expediency of calling upon—

(a) all Volunteer Units in India and Burma to undergo at least one month's training every year by attaching them for this purpose to British Army Units in the various Cantonments of India ; and

(b) all Officers of the Volunteer service to undergo at least three months' training every year by attaching them for this purpose to the regular British Forces in India ?

(2) If the answer to (1) is in the affirmative, do the Government propose to grant to Volunteers, while undergoing such training, the same pay and allowances, rank for rank, as that granted to the regular British services ? ”

**His Excellency the Commander-in-Chief** replied :—

“ (a) No. It is not considered that training of the nature indicated could be carried out without unduly interfering with the ordinary civil avocations of the members of the Corps.

(b) No, for similar reasons. Therefore question 2 does not arise.”

**The Hon'ble Mr. Huda** asked :—

Paid and  
honorary  
posts held by  
Germans  
under Gov-  
ernment.

3. “ Is it a fact that in India some Germans are still holding posts (paid or honorary) under the Government ? If so, will the Government be pleased to mention the posts they are occupying and the salary, if any, attached to these posts ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ There are eight persons of German nationality who are, or were till very lately, holding appointments under Government in India of the nature contemplated by the question under reply. Of this number, five are Roman Catholic Chaplains, four of whom will be shortly repatriated, and the fifth interned in this country. Four of these priests are in receipt of a monthly salary of Rs. 250, and the fifth Rs. 300. Of the remaining three individuals, two sisters are employed as Schoolmistresses in the Lawrence Military Asylum at Sanawar on salaries of Rs 90 and 81, respectively, and are also shortly to be repatriated. The third is a German Franciscan Nun employed as Assistant Matron in the Lahore Female Lunatic Asylum on a stipend of Rs. 40 a month. The Local Government states that it would be difficult to replace this nun, and that she is under the strict supervision of a matron who is a Belgian subject. ”

**The Hon'ble Mr. Huda** asked :—

Establish-  
ment of a  
University  
at Patna, and  
erection of  
an Islamic  
College.

4. “ (a) With reference to the replies given by the Hon'ble Sir Harcourt Butler to my questions put on the 16th September, 1914, regarding the proposed University at Patna, and the establishment of an Islamic College, do the Government now propose to lay the following on the table :—

(1) Opinions on the report of the Patna University Committee submitted by different public bodies, associations and individuals to the Government of Bihar and Orissa ; and

(2) the Report of the Select Committee appointed by His Honour the Lieutenant-Governor of Bihar and Orissa to consider these opinions ?

[1ST OCTOBER, 1915.]

[*Mr. Huda ; Sir Harcourt Butler ; Mr. Dadabhoy.*]

(b) Is it a fact that the majority of these opinions is in favour of an Islamic College being erected along with other Colleges ?

(c) Do the Government propose to erect an Islamic College along with other Colleges in the proposed University of Patna ?

(d) Has the Government received any detailed scheme of the proposed University of Patna from the Government of Bihar and Orissa ? If so, do the Government propose to lay it on the table ?

(e) Will the Government be pleased to state whether they propose to introduce the necessary legislation for the establishment of a University at Patna and, if so, when ?

**The Hon'ble Sir Harcourt Butler** replied :—

“(a) The opinions expressed on the Report of the Patna University Committee are laid on the table\* No formal committee was appointed to consider those opinions.

(b) The answer to (b) is to be found in the opinions laid on the table. The Local Government report that the question of providing a separate college for Muhammadans has to some extent been confused with that of providing a separate course in Islamic studies. It appears that out of 70 opinions received on the report, only 14 asked for the institution of a department of Islamic studies.

(c) The Government of Bihar and Orissa do not propose to erect an Islamic College at the proposed University of Patna. In this matter a reference is invited to page 26 of the Report of the Patna University Committee. The Committee relied upon their two Muhammadan Colleagues, who assured them that the Muhammadan Community did not wish to have a separate Arts college or hostel reserved for their students. At the same time, the Local Government have reported that if, at a future date, a genuine demand should arise for a special hostel for Muhammadans, the proposal to establish one would receive every consideration. Further, the Local Government are not in favour of establishing a department of Islamic studies, since there is a lack of Madrassas adequately equipped for higher studies.

(d) The Government of India have received the proposals of the Government of Bihar and Orissa regarding the proposed Patna University. They do not propose to lay the papers on the table.

(e) It will probably be necessary to introduce legislation for the establishment of this University in the Imperial Legislative Council ; but the Government of India are unable to make any statement as to when this legislation will be introduced.”

**The Hon'ble Mr. Dadabhoy** asked :—

5. “ Will Government be pleased to lay on the table a statement showing :—

Action taken under the Defence of India Act, 1915.

(1) (a) The number of persons who have been tried under the special procedure of section 3 *et seq.* of the Defence of India Act.

(b) The number of persons respectively discharged, acquitted, and convicted in the course of such prosecutions.

(c) The number of persons whose cases are still pending in such prosecutions.

[*Mr. Dadabhoy ; Sir Reginald Craddock ; Mir Asad Ali ; His Excellency the Commander-in-Chief.*] [1ST OCTOBER, 1915.]

(2) (a) The number of persons who have been prosecuted for a breach of any orders passed in accordance with the rules under the Act or for a breach of the rules themselves.

(b) The number of persons respectively discharged, acquitted, and convicted in such prosecutions.

(c) The number of persons whose cases are still pending in such prosecutions.

(3) The number of persons against whom orders have been passed under Rule 3."

**The Hon'ble Sir Reginald Craddock** replied :—

"The information, so far as it could be obtained within the time available, is contained in the statement\* laid on the table.

In the case of the Punjab, it has been found possible to obtain figures up to the 15th September. In the case of the outlying provinces, the figures are for the period ending 15th August, 1915."

**The Hon'ble Mir Asad Ali** asked :—

Indians  
enrolled as  
Volunteers.

6. "Will Government be pleased to state the total number of Indians who have been enrolled as Volunteers, since the beginning of the war, and their numbers according to their respective nationality?"

**His Excellency the Commander-in-Chief** replied :—

"In our ordinary Volunteer Corps twenty Indians have been enrolled since the beginning of the war, viz :—

Hindus	1
Muhammadans	1
Madrassis	5
Burmans	2
Christians	2
Sikhs	1
Parsis	8

20

The figures do not include the 8th Division from which the returns have not yet reached the Government of India, nor do they include the Bengal Ambulance Corps now in Mesopotamia."

**The Hon'ble Mir Asad Ali** asked :—

Strength of  
the Indian  
Police and  
Criminal  
Investiga-  
tion Depart-  
ment.

7. "(1) Will Government be pleased to state, province by province, for each of the last ten years—

(a) the total strength of the Indian Police officers and men ;

(b) the total strength of the officers and men of the Criminal Investigation Department ;

(c) the total expenditure on the Criminal Investigation Department and on the Police, respectively.

(2) (a) Is it a fact that the functions of the Criminal Investigation Department have recently been enlarged ?

(b) Have the Government already contemplated the abolition of the Criminal Intelligence branch of the Department ? If not, do the Government propose to abolish that branch for good ?"

[1ST OCTOBER, 1915.] [Sir Reginald Craddock; Mir Asad Ali; Mr. Gillan.]

**The Hon'ble Sir Reginald Craddock** replied :—

1. “ (a) A statement\* is laid on the table showing the strength of officers and men separately in the Police forces in the several provinces for the ten years—1904-1913. The complete figures for 1914 are not yet available.

(b) For the years 1905-1910, the Hon'ble Member is referred to the information given in the statements which were placed on the table at the meeting of Council held on the 11th September, 1911, in response to the Hon'ble Mr. Gokhale's question of 24th January, 1911. The figures for 1904 and for 1911-1913 are not at present available, but the information will be collected and laid on the table when complete.

(c) The figures for the total expenditure on the Police in the several provinces for the years 1904-1913 are given in the statement\* laid on the table. The figures for the provincial expenditure on the Criminal Investigation Department for the years 1905-1910 were given in the statements furnished in 1911 which are referred to in the previous portion of this reply, and supplementary figures for 1904 and 1911 to 1913 will be collected and laid on the table subsequently.

2. (a) The reply is in the negative.

(b) The Government of India have never contemplated, nor do they now contemplate, the abolition of the Criminal Intelligence Department.”

**The Hon'ble Mir Asad Ali** asked :—

8. “ Will Government be pleased to state whether Indians have been employed in munitions factories in India since the outbreak of the war, and, if so, what proportion their number bears to that of Europeans and Anglo-Indians so employed ?”

Indians employed in Munition Factories.

**The Hon'ble Mr. Gillan** replied :—

“ Indians are being largely employed in munitions factories in India. The precise proportion which their number bears to that of Europeans and Anglo-Indians so employed cannot be ascertained without some difficulty and delay. It may be stated, however, that the proportion is approximately that usually obtaining in railway and private works.”

**The Hon'ble Mir Asad Ali** asked :—

9. “ Will Government be pleased to state—

(a) the number of Indians who have been interned under the Defence of India Act;

(b) the nature of their offences;

(c) the period of internment; and

(d) the arrangements made for their board and lodging ?”

Internment of Indians under the Defence of India Act.

**The Hon'ble Sir Reginald Craddock** replied :—

“ (a) The Hon'ble Member is referred to the reply given to the question put by the Hon'ble Mr. Dadabhoy.

(b) The Hon'ble Member is referred to the provisions of Rule 3 of the Defence of India Rules, 1915. No question of any offence arises, and the various restrictive orders that may be passed under that rule are of a preventive and not of a punitive nature.

[*Sir Reginald Craddock; Mir Asad Ali; Sir Ibrahim Rahimtoola; Sir William Meyer.*] [1ST OCTOBER, 1915.]

(c) and (d). These are matters within the discretion of the Local Government, and the Government of India have no detailed information on the subject."

**The Hon'ble Mir Asad Ali** asked :—

Press prosecutions under the Press Act, 1910.

10. " Will Government be pleased to state—

- (a) the number of press prosecutions under the Press Act of 1910, since the outbreak of the War ;
- (b) the number of newspapers, English and Vernacular, that have since ceased their publication ; and
- (c) the number of newspapers whose securities have since been enhanced, as well as the amount of increased security in each case ? "

**The Hon'ble Sir Reginald Craddock** replied :—

" The information desired by the Hon'ble Member is being collected, and statements furnishing it will be laid on the table in due course. "

**The Hon'ble Sir Ibrahim Rahimtoola** asked :—

Annual cost of the Bombay and Calcutta Mints.

11. " Will Government be pleased to state what is the annual cost of (a) the Bombay Mint, and (b) the Calcutta Mint ? "

**The Hon'ble Sir William Meyer** replied :—

" I place upon the table a statement\* showing the ordinary charges of the two mints in the last three years. I also place on the table copies of the mint reports for 1913-14 and 1914-15, together with the Controller of Currency's reviews of those reports, in case the Hon'ble Member requires the further particulars which the reports supply in regard to total cost inclusive of interest on capital and other *pro forma* charges. The full details of these are given in statement I appended to each report. "

**The Hon'ble Sir Ibrahim Rahimtoola** asked :—

Cost of building and fitting up a new gold mint in Bombay.

12. " Will Government be pleased to state what would be the cost of building and fitting up a new gold mint on the vacant ground in the Bombay Mint Compound ? "

**The Hon'ble Sir William Meyer** replied :—

" The Government of India are not able to state the probable cost of a new Gold Mint. This would depend largely upon the administrative arrangements contemplated and the assumption made as to the amount of gold likely to be dealt with annually. When the matter was considered in 1900, several different schemes were suggested costing, respectively, Rs.  $\frac{1}{2}$  lakh, Rs.  $1\frac{1}{2}$  lakhs and about Rs. 2 lakhs."

**The Hon'ble Sir Ibrahim Rahimtoola** asked :—

Assay fees for gold and silver bullion in India.

13. " Will Government be pleased to state whether the Mint Masters or the Government Assay Masters in India undertake to assay gold and silver bullion for the general public, and, if so, what are the scales of assay fees and how they compare with the charges made for similar assays in London ? "

[1ST OCTOBER, 1915.] [Sir William Meyer ; Sir Ibrahim Rahimtoola ;  
Mian Muhammad Shafi ; Sir Reginald Craddock.]

**The Hon'ble Sir William Meyer** replied :—

“ The answer to the first part of the Hon'ble Member's question is in the affirmative. The scale of fees is that prescribed in rule 10 of the rules appended to the Government of India's Resolution in the Finance Department No. 165-F., dated the 14th February 1913, which was published in the Supplement to the *Gazette of India*, of the 15th February of that year. The Government of India have no information as to the Home practice in this matter. ”

**The Hon'ble Sir Ibrahim Rahimtoola** asked :—

**14.** “ Do Government propose to publish monthly in the *Gazette of India*, the balances held in the Home Treasury by the Secretary of State ? ” Balances held in the Home Treasury.

**The Hon'ble Sir William Meyer** replied :—

“ The balances held by the Secretary of State in the Home Treasury of the Government of India are already published monthly. The last announcement in the matter, which related to the balance held on the 31st July last, will be found on page 1988 of the *Gazette of India*, Part II of the 11th September, 1915. ”

**The Hon'ble Mian Muhammad Shafi** asked :—

**15.** “(1) Has the attention of the Government of India been invited to an editorial published in the ‘Tribune’ of 2nd July last stating, on the authority of the newspaper ‘India’, that the Secretary of State has refused to consider the question of the elevation of the Punjab Chief Court to the status of a High Court on the ground of its being a ‘controversial’ measure ? Raising of the status of the Punjab Chief Court to that of a High Court.”

(2) If the statement made by the newspaper ‘India’ as referred to in (1) be correct, will the Government be pleased to state—

(a) what ‘controversy’, if any, does the Secretary of State actually refer to in the despatch communicating his decision to the Government of India ?

(b) if there was any difference of opinion between the Chief Court, the Government of the Punjab and the Government of India on the main question of the elevation of the Punjab Chief Court to the status of a High Court ?

(c) whether it is a fact that not only bodies like the Indian National Congress and the Punjab Chief Court Bar Association, but also communal organizations, such as the All-India Muslim League, the Punjab Hindu Conference and the Punjab Muslim League have, on various occasions, advocated this reform ?

(d) whether it is a fact that the Provincial Press, Anglo-Indian and Indian, has for years past, been emphasizing the advisability of undertaking this reform and the non-official members of the Punjab Legislative Council have, on various occasions, invited the attention of Government to it ?

(3) Is it a fact that deep disappointment has been caused by the decision of the Secretary of State, particularly in the Punjab ? If so, do the Government propose to take any further steps in the matter ?

(4) Will the Government be pleased to place on the table copies of the correspondence relating to this question which has passed between the Government of India and the Secretary of State ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ The attention of the Government of India has been drawn to the article in question.

[*Sir Reginald Craddock ; Maharaja Ranajit Sinha ; Sir Harcourt Butler ; Maharaja Sir Manindra Chandra Nandy ; Sir William Clark ; Mr. Grant.*] [1ST OCTOBER, 1915.]

In regard to the remaining questions, the Government of India are not prepared to make any statement. The correspondence referred to in question 4 is confidential and cannot be laid on the table."

**The Hon'ble Maharaja Ranajit Sinha** asked :—

Public Works cesses for Sanitation.

**16.** " Will the Government be pleased to furnish a statement shewing—

(a) the amount assigned to local bodies of each Province and Administration on account of public works cesses, and

(b) the amount spent by them for the purpose of sanitation out of the said income during the last two years ?"

**The Hon'ble Sir Harcourt Butler** replied :—

" (a) A statement\* is laid on the table.

(b) The Hon'ble Member is referred to the answer given to a similar question asked by him on the 22nd September last. "

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

Assault by a signaller in the Lahore Central Telegraph Office.

**17.** " Has the attention of the Government been drawn to the case of an assault by a signaller in the Lahore Central Telegraph Office on a Time-keeper as reported in the Lahore papers of about the 7th September, 1915 ?"

**The Hon'ble Sir William Clark** replied :—

" A report has been obtained regarding the case of assault in the Central Telegraph Office at Lahore referred to by my Hon'ble Friend. It has been ascertained that the telegraphist at fault has been suitably punished departmentally."

## THE NORTH-WEST FRONTIER CONSTABULARY BILL.

**The Hon'ble Mr. Grant** :—" My Lord, I move that the Bill to provide for the regulation of the Frontier Constabulary in the North-West Frontier Province be taken into consideration."

The motion was put and agreed to.

**The Hon'ble Mr. Grant** :—" I move that the Bill be passed."

The motion was put and agreed to.

## THE ENEMY TRADING BILL.

**The Hon'ble Sir William Clark** :—" My Lord, I move that the Bill to provide facilities for the payment to a public authority of certain moneys, the payment of which is, or may be, prohibited owing to the present war, and to provide for other matters in connection with trading with foreigners be taken into consideration."

The motion was put and agreed to.

**The Hon'ble Sir William Clark** :—" I beg to move that, in clause 15, for the words ' the 4th day of August, 1914, ' the words ' the 14th day of October, 1914 ' be substituted. This is practically a drafting amendment, my Lord. Clause 15 of the Bill, as now drafted, makes certain amendments in section 3 of the Commercial Intercourse with Enemies Ordinance, 1914. That Ordinance only came into force on the 14th October, 1914, and the date which now appears in clause 15 of the Bill, namely, 4th August, consequently requires alteration."

The motion was put and agreed to.

[1ST OCTOBER, 1915.] [Sir William Clark ; Sir Harcourt Butler. ]

**The Hon'ble Sir William Clark** :—" I beg to move that the Bill, as amended, be passed."

The motion was put and agreed to.

### THE INLAND STEAM-VESSELS (AMENDMENT) BILL.

**The Hon'ble Sir William Clark** :—" My Lord, I beg to move that the Report of the Select Committee on the Bill further to amend the Inland Steam-vessels Act, 1884, be taken into consideration."

The motion was put and agreed to.

**The Hon'ble Sir William Clark** :—" My Lord, I beg to move that the Bill, as amended, be passed."

The motion was put and agreed to.

### THE BENARES HINDU UNIVERSITY BILL.

**The Hon'ble Sir Harcourt Butler** :—" My Lord, I beg to move that the Report of the Select Committee on the Bill to establish and incorporate a teaching and residential Hindu University at Benares be taken into consideration. I stated, when this measure was last before this Council, that, if it became controversial, it would have to be withdrawn. There are three notes, in the nature of dissent, to the Report of the Select Committee, and we have had anxiously to consider whether those notes by themselves necessitate the withdrawal of the Bill. The conclusion is that, at this stage, they do not. The Hon'ble Mr. Surendranath Banerjee's note is not a dissent, as he merely states the reasons why he dislikes some of the provisions of the Bill, but supports it as a whole. The other two notes appear to deal with a matter which is verbal rather than substantial, as I shall endeavour to show to the Council very shortly. It really depends on the course of the debate to-day whether the Bill is withdrawn or not. I must leave it to the Council to decide this issue. I myself should greatly regret it, if my last official act in this Council were to withdraw a Bill designed for the benefit of the Hindu community owing to fatal dissensions amongst the Hindus themselves. But the position of the Government must not be misunderstood for an instant. The Bill cannot pass into law if it is a controversial measure. It has been introduced in this session in deference to the wishes of the promoters. If the Council desire to sink their differences on points of detail and pass the measure into law, it is open to them to do so. But, if the discussion becomes really controversial, I shall have to seek a division in order to ascertain whether there is practical unanimity of feeling in favour of the Bill or not. Though they are anxious to help the promoters of the movement, as far as is consistent with their general attitude in matters of this kind, the Government have no intention whatever of forcing any really controversial measure on the Council during the Simla session and at such a time.

" Now, my Lord, I turn to the criticisms that have been made and the changes that have been introduced in Select Committee. First, I will offer a few remarks on what I may call the personal appearance of the Bill. It is not at all the sort of Bill that the Legislative Department is in the habit of producing. The Bill has in fact a mixed parentage. As you are aware, this movement started and the Bill was drawn up without reference to the Government. As I pointed out in one of my letters, it would have been preferable had the promoters not consolidated their intentions in the form of a draft enactment, and our discussions would have been simpler all through if they had been conducted on the basis of a statement of decisions rather than on the basis of a draft Bill. The promoters attached importance to their draft Bill, and so the Education and Legislative Departments endeavoured to maintain as much of it as possible. That we have come to a result as satisfactory as it is, is due entirely to the devoted labours of Mr. Sharp, Dr. Sundar Lal, and of Mr. Muddiman, who has spared no time or effort to secure in legal phrase the objects of the promoters.

[ *Sir Harcourt Butler.* ]

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“ There are many opinions to the effect that a definition of ‘ Hindu ’ is essential. But, as no one yet has ever been able to define a Hindu, the Select Committee have not deemed it necessary to make the attempt. In practice, there are Hindu institutions all over the country which settle the matter for themselves, and this is one of those things that we can safely leave for the decision of the competent power in the University. Another matter of common criticism is the number of functionaries and the danger that their functions will overlap. A great many of us sympathise with this criticism, but the promoters attach great importance to it, and the Government has met their wishes, only insisting that the real academic work of the University should be in the hands of an academic body, namely, the Senate. As regards clause 4 (2) of the Bill, I have already stated that the change made in Select Committee, which leaves it to the Court to declare that religious instruction should be compulsory, is verbal rather than substantial. The Hon’ble Maharaja of Kasim Bazar seems to suggest some inconsistency on my part in agreeing to the change in Select Committee, because I previously stated that the University would insist on compulsory religious instruction for Hindus. That, I understand, has been the basis of the movement from the beginning. In my words, I merely gave expression to that understanding. I can see no inconsistency whatever. The University can arrange for compulsory religious instruction without any legislative authority whatever. Indeed, clause 4 (2) is quite superfluous. Compulsory religious instruction is insisted on in various Christian, Hindu and Muhammedan institutions at the present time without specific provision to that end. The University could secure it by the mere fact of regulating admission. Clause 4 (2), as originally drafted, was merely a pious expression. No sanction attached to it. There was no penalty to its non-observance. No Government would ever enforce it against the wishes of the Court. It would have remained a dead letter until the Court took action of its own initiative to prescribe courses of religious instruction. The Court is entirely a Hindu body, in the formation of which the Government has had, and will have, no voice whatever. If there is a danger of debate and discussion on the question under the present clause of the Bill, there would obviously have been danger of the same debate and discussion when the Court met to consider the Regulations or Statutes that would have to be passed in order to put the original provisions of the Bill into force. Any dissent from the present form of clause 4 means simply distrust of the Hindu Court. If the Hindus cannot trust their own Court to deal with this question, it is certainly not a question which this Council should decide for them. The present form of the clause is, I believe, one that is acceptable to the great majority of the Council. It is assumed that, if this Bill is passed into law, the Court will proceed to make a Statute regarding compulsory religious instruction. The matter is left entirely to this wholly Hindu body.

“ There is, no doubt, some opposition to the form of Government control. This is a matter on which the Government cannot possibly yield. The provisions in the Bill represent the result of long discussion between the promoters and the Government of India, and the Government of India and the Secretary of State. As regards the argument that there are two powers of control, I can only say that this is a very common form of administration in India. You have it recurring all through the Indian administration. I cannot admit that there is any overlapping, or that there is any risk of friction in practice. The powers are emergency powers, and we all hope that they will never have to be exercised. Should their exercise ever become necessary, Hon’ble Members know perfectly well that there is no risk that the Visitor’s action will infringe the powers of the Government of India. The Visitor must have powers to support his position, and I certainly cannot agree to the insertion of a right to appeal against his orders. This would be entirely derogatory to the position of the Visitor of the University, and so derogatory to the University. May I say, I deem it of good omen to the University, that they should have in their first Visitor my old friend, Sir James Meston, one of the ablest and most sympathetic officials that India has ever had, and one who has specially devoted himself to assist the cause of education.

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Throughout the time when the Education Department was making large demands upon the exchequer, they had the most helpful support and direct encouragement from Sir James Meston. The University could not start under more favourable auspices. In connection with the question of control, I stated in Select Committee that I would mention in my speech why it was not provided in section 19 that, if the removal of any member of the teaching staff is desirable in the interests of the University, the explanation of such member should be called for before the question of his removal was decided upon. I think we may assume that such action would invariably be taken, as it is in accordance with the practice of Government, established for some generations. But it would altogether undermine the policy of the Government in regard to the University, if it dictated terms in regard to the relation between the University and its professors. At an early stage of these proceedings, it was decided that the University should have complete freedom in regard to the appointment, punishment, and dismissal of its servants. Any direction to the University in this matter would be derogatory to the University. But I think you may take it as certain that, if this clause ever has to be enacted, which I myself hope that it will not be, the Governor General in Council will see that the procedure which it insists upon in regard to its own servants will be carried out, so far as possible, in regard to the servants of the University.

"The change in clause 15 (1) of the Bill is formal, in order to secure the continuance of affiliation to the Allahabad University of the Central Hindu College until such time as the University comes into being.

"I do not think that, at this stage, I need make any further observations. The fate of the Bill now lies in the lap of the Council."

**The Hon'ble Mr. Vijiaraghavachariar :—**"My Lord, the amendment which I have the honour to move, namely,

I. 'that in sub-clause (1) of clause 4 between the words 'all' and 'castes' the word 'classes' be inserted.'

is almost verbal, and perhaps it is hardly necessary, except that I think that some people are apt to make mistakes as to the scope of clause 4. Sub-clause (1) of that clause says that the University shall be open to 'persons of all castes and creeds'. I suggest to add the word 'classes' before the words 'castes and creeds'. The object of my amendment is the better to carry out the intention of the promoters and of the Government. As I understand it, and as it is clear from the Bill and Regulations of the University, it is not the object of the promoters or the Government to exclude any class of His Majesty's subjects in India. I need say no more, and therefore I beg that this small, almost verbal, amendment may be accepted by the Council."

**The Hon'ble Sir Harcourt Butler :—**"On behalf of the Government, I accept the amendment."

The amendment was put and carried.

**The Hon'ble Mr. Vijiaraghavachariar :—**"My Lord, as regards the next amendment, namely—

II. '(a) That in sub clause (2) of clause 6, the last sentence beginning with the words 'the Visitor' up to the word 'Regulations,' and also the proviso thereto, be omitted.

(b) In the alternative, the following sentence as sub-clause (3) of the same clause be inserted :—

'Any such order of the Visitor may be revised and modified or annulled by the Governor General in Council.'

"I shall make only one remark and that will apply as well to the remaining amendments, namely—

III. 'That sub-clause (2) of clause 17 be omitted, and in sub-clause (3) of the same clause the words 'new or additional' be omitted, and for the word 'or' between the words 'statutes' and 'may', the word 'and' be substituted, and for the word 'statutes' at the end of the clause the word 'them' be substituted, and to the same sub-clause the following proviso be added :—

'Provided the First Statutes shall be made with the previous sanction of the Governor General in Council.'

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IV. 'That in sub-clause (1) of clause 19 the words 'special reasons exist which make the removal of any member of the teaching staff desirable in the interests of the University or that' be omitted.'

V. 'That Schedule I be omitted.'

"For reasons which I shall presently state, with your Lordship's permission, if I make any remarks on the next motion, namely, that the Bill be passed into law, I desire to withdraw the first amendment\*. If it is in order, I withdraw all the remaining amendments at once. They partly relate to technical questions and do not much affect the provisions of the Bill on the merits except as to one or two points."

The remaining amendments were with His Excellency's permission, withdrawn.

**The Hon'ble Sir Harcourt Butler :—**"My Lord, I move that the Bill, as amended, be passed."

**The Hon'ble Dr. Sundar Lal :—**"My Lord, I rise to support the motion which has now been put before the Council. In doing so, I propose, with your Lordship's leave, to say a few words on behalf of the supporters of the Bill and the Hindu University Society.

"In the first place, let me thank your Excellency and your Excellency's Government for the support that has been given to us and for your permitting, at our request, to place the Bill in the present session before the Council. We are indebted to you for what has been done in furtherance of the cause for which the Hindu University Society was formed, and I hope and trust that this Council will pass the Bill unanimously. Our thanks are specially due to the Hon'ble Member in charge of Education for the great skill and tact with which he has piloted the Bill in the Council, for the keen and sympathetic support he has always given to the scheme, and for his valuable advice and help on all occasions. Happily, the day has come when this Bill will find a place on the Statute-book of the Realm, and your Excellency's government will now see established the first residential University in India, a University founded by the support and co-operation of the people and the Princes of the land. More than half a century ago, the Government of India decided to introduce liberal education on modern lines in this country. The great strides which education has since made throughout the length and breadth of the land, with the enlightenment and culture that have followed in its wake, are entirely due to the initiative taken by the Government and the financial aid and resources which they placed at the disposal of those entrusted with the work of disseminating knowledge in India. Many years ago, when in our Provinces, the Government decided to establish a college at Allahabad, the raising of subscription amounting to some thousands at an early stage, was accepted by the Government as sufficient evidence of the existence of a demand for it. To-day our promised subscriptions amount to more than eighty lakhs, out of which over fifty lakhs including the valuation of the annuities granted, have been paid up. We are thankful to enjoy to-day the sympathy of the Government and their valuable support in carrying out the scheme. We look forward with confidence to the day when the University will be in full working order, engaged in imparting knowledge and promoting culture amongst its *alumni* of which the imparting of religious instruction will form an integral part. I hope and trust that, in the fulness of time when this institution grows, if it so pleases Providence, it will produce generations of young men fully equipped and qualified to do their work as citizens of this great Empire, and whose character and strong religious convictions would do credit not only to themselves, but to their country and their Government.

"We are indebted to Mr. Sharp and to Mr. Muddiman, who have helped us to shape the Bill in its present form. It is, no doubt, a Bill the parentage of which has been said to be mixed. Nevertheless, I strongly hope and trust that the child now

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born will grow from day to day in vigour and usefulness, and that our University will, as years roll on, send forth youths well equipped for the struggles of life, well able to hold their own with the best products of other Universities and marked as much for their character and attainments and the resourcefulness of their knowledge as for their steadfast devotion and loyalty to the Crown to which they owe allegiance."

**The Hon'ble Sir Gangadhar Chitnavis :—**" My Lord, I beg to associate myself with the words that have fallen from my friend the Hon'ble Dr. Sundar Lal. Speaking for myself, I am fully aware of the various objections to the Bill. It would be incorrect to say I regard it as free from defects. But this is a world of compromises, and we get on on the principle of give and take. Personal predilections have sometimes to be put aside. In the present case, the constitution of the University represents a compromise between the views of the subscribers and the conditions which, in the opinion of Government, are necessary in the launching of an entirely new experiment. That being so, it is obviously prudent to accept those conditions for the present, and to leave it to the future to modify them in the light of subsequent developments. If the University authorities, by wise and efficient management, can satisfy Government and the donors that certain modifications of the legislative provisions are necessary for progress, I am sure there will not be any unreasonable opposition to their demand. Every institution has to pass through a period of probation, and it must be obvious to all sensible men that the powers exercisable by the authorities during that period must be more or less restricted. We have it from the promoters themselves and from opinions which have been submitted that the new University will have large powers. Indeed, my friend the Hon'ble Dr. Sundar Lal, in his speech in March last, characterised the constitution as even more liberal than that of the existing Universities in certain respects, and he is an authority in these matters. Many, including my humble self, I am sure, share his views. We should not, therefore, fret at the powers of supervision and control which the Government assumes under the Bill. The Benares University will undoubtedly be an experiment. Until it proves a success, it must put up with some sort of official check. It may of course be contended that the severity of the check might interfere with the success. But apprehensions of undue interference on the part of Government with the independence and the free development of the institution are exaggerated. The powers of the Governor General in Council are indeed large, but they are, as the Hon'ble Sir Harcourt Butler has this day told us, emergency powers, and it is hardly to be expected that a responsible Government should use these emergency powers in any circumstances except when urgently called for. Experience shows that Government relies more upon the moral effect of such legislative provisions than upon their actual enforcement for the attainment of the end in view.

"The chief defect, however, of the Bill, in my humble opinion, is that the constitution of the University will be extraordinarily complicated. It would surely have been better to have a simpler agency for management. But this is a matter in regard to which I hesitate to press my personal opinion, for the simple reason that it is the result of a compromise between the Hindu University Society and Government. The fact that the University is to be mainly financed by a large number of private gentlemen of wealth and position has evidently forced the hands of the authorities. But I have yet hope that improvements even in the constitution will be made if experience reveals any serious difficulty in working.

"These considerations, my Lord, underlie my vote to-day. May the Benares Hindu University be a really useful institution in the country, and may it turn out loyal, peaceful, resourceful and industrious citizens !

"I will take this opportunity of paying our tribute of respectful farewell to the retiring members, our *Vice-President* Sir Harcourt Butler, the Hon'ble Sir Ali Imam, and the Secretary, Sir William Vincent."

**His Excellency the President:—**"Order, order."

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[*Maharaja Sir Manindra Chandra Nandy ; His Excellency the President.*]**The Hon'ble Maharaja Sir Manindra Chandra Nandy:—**

"Your Excellency, I beg leave to add my feeble voice to the universal chorus of approval with which the passage of the Benares Hindu University Bill has been greeted not only in this Council, but also in the wider world outside. Your Excellency's government of India has been singular and successful in manifold ways : it has indeed marked a new era in the history of British rule in India by the number of beneficent measures executed to base that rule more and more upon the spontaneous allegiance of a loyal people. To name but a few of them, the expansion of the Legislative Councils, the declaration of provincial autonomy as the goal of Indian administrative policy, the creation of Executive Councils, the vindication of India's status in connection with the complicated South African question, the annulment of the Partition of Bengal—any one of these measures is sufficient to make a Viceroyalty famous."

**His Excellency the President:—**"I must ask the Hon'ble Member to adhere to the question."

**The Hon'ble Maharaja Sir Manindra Chandra Nandy :—**

"But, my Lord, hardly less beneficent and far-reaching in its consequences than the above mentioned measures is the Bill that is being placed on the Statute-book to-day. For I may be permitted to point out, at the outset, that the Benares Hindu University Act should not be regarded as a mere example of 'class legislation' appealing only to a section of the people and benefiting only a province. The direct effects of the measure will, no doubt, concern a particular community, but its indirect effects will operate over a much larger sphere of interests.

"For the first time in the history of British rule in India, is the sanction of Government given to the establishment of a private, non-official University in the land : for the first time, is private enterprise in the field of Indian education, which hitherto confined itself to the humbler sphere of founding individual schools and colleges, being exalted into a higher and wider sphere and finding its proper scope and fulfilment. It is indeed a red-letter day in the annals of private educational activity in India when it results in the establishment of Universities and not mere schools and colleges. It is difficult in my view to overestimate the beneficent effects of this measure. It is not merely an educational measure ; it is also a political measure. It expands the field of Indian education ; it also extends our rights and liberties. For it means that Government is giving up its monopoly in the matter of the organisation of higher education in the country ; that it makes a generous concession to a particular popular demand, the strongly-felt wishes of an entire community ; that it trusts the people with a measure of self-government in a particular sphere in which they are specially fitted. For, my Lord, if there is any sphere in which our people have qualified themselves most for self-government, it is, I venture to think, the educational sphere.

"This brings me to the provisions of the Bill so as to demonstrate what measure of self-government it implies. In the first place, the supreme governing authority vests in the Court, a purely and exclusively Hindu body ; and in the second place, the University is given the power to elect its own Chancellor, *vice-Chancellor* and *Pro-Vice-Chancellor* in the first instance. These are features which distinguish the new University from the older ones, and imply a substantial instalment of educational self-Government to start with. There are of course reserved to Government certain extraordinary or emergency powers, but Hon'ble Members will easily perceive that those powers will be exercised by Government not as an organic part of the University, but as an external, superintending agency whose duty it is to keep the University in its proper orbit as laid down in the Bill. The University is thus left as a self-contained independent organism, with liberty to regulate its own life. With regard to the amount of control which Government has reserved to itself, it should be borne in mind that Government has offered us some compensation

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in return by its undertaking to recognise and guarantee the degrees to be instituted by the University. We hope that, in the near future by our satisfactory conduct of the University, we shall deserve the withdrawal of the control now being reserved to Government, but for the time being, we should content ourselves with the thought that it is the necessary price we have to pay for the advantage of permanently securing a large customer like the Government for our University products.

“My Lord, the passing of this Bill means further that Government is ready to co-operate with the Hindus for the purpose of preserving and promoting their special culture, which fills such an important place in the culture history of humanity. The conservation and promotion of Hindu learning and culture is necessary not merely in the interests of the Hindus, but also in the interests of humanity itself. Human culture would indeed be poorer without the special elements contributed by Hindu culture. Unfortunately, Hindu culture has long ceased to be a living flowing stream; it is ‘a fen of stagnant waters’. Boasting of the longest life and history, it has had its proper growth arrested, its further development nearly checked. The British Government, therefore, as the custodian of all the cultures of the land, is thus discharging one of its most sacred duties, as a civilised Government, in co-operating with the Hindu community in a common purpose and mission of reviving the old Hindu culture; in the inauguration of systematic, organised efforts for the promotion of an old learning whose priceless treasures would otherwise have been lost to the world. All this we owe to your Excellency’s initiative dictated by the soundest statesmanship, to your Excellency’s generous recognition in common with the Hindu community that Hindu thought has filled a distinct place in the history of human thought; that it has yet a part to play in the evolution of human thought; that Hindu learning and culture must assert their rightful place in the world’s culture history. These are indeed the common aims of both the Government and the Hindu public, whose union is thus being placed on a solid and permanent foundation by the establishment of the Hindu University.

“The Hindu University Bill is, therefore, a unique measure of its kind, and will add a most glorious page to the brilliant history of your Lordship’s administration, while your Lordship, and in association with your Lordship in this beneficent measure, my Hon’ble friend Sir Harcourt Butler, but for whose generous sympathies and ungrudging labours the Bill would not have been passed to-day,—I say, both your Lordship and Sir Harcourt Butler will ever be enshrined in the grateful heart of India among the greatest benefactors of the Hindu race.

“With these few words, I beg to support the Bill.”

**The Hon’ble Pandit Madan Mohan Malaviya :—**“My Lord, it is my pleasing duty to offer my hearty thanks to your Excellency, to the Hon’ble Sir Harcourt Butler, and to the members of this Council for the very generous support extended to this measure for the establishment of a Hindu University. My Lord, the policy of which it is the product is the generous policy of trust in the people and of sympathy with them in their hopes and aspirations, which has been the key-note of your Excellency’s administration.

“The history of this movement hardly requires to be repeated here. But it may interest some of its friends to know that, it was in 1904, that the first meeting was held at which, under the presidency of His Highness the Maharajah of Benares, the idea of such a University was promulgated. Owing, however, to a variety of causes into which it is not necessary to enter here, it was not until 1911 that the matter was taken up in real earnest. From 1911 to 1915 was not too long a period for the birth of a University when we remember that the London University took seven years to be established from the time the idea was first taken up. My Lord, in this connection, we must not overlook the work

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done by my Muhammedan friends. The idea of establishing a Muslim University was vigorously worked up early in the year 1911 when His Highness the Agha Khan made a tour in the country to enlist sympathy and support for it. Your Excellency was pleased to express your appreciation of the effort so made when replying to an address at Lahore. You were pleased to speak approvingly of the 'spirited response (made by the Muhammedan community to the appeal for a Muslim University recently carried throughout the length and breadth of India under the brilliant leadership of His Highness the Agha Khan.' We are thus indebted for a part of our success to our Muhammedan brethren, for the work which they did as pioneers in our common cause. We are indebted to His Highness the Agha Khan for having given practical shape to the question of a Muslim University at Aligarh; and to my friend, the Hon'ble the Raja of Mahmudabad for having carried on the first correspondence with the Government which elicited the Secretary of State's approval to the idea of a denominational University in this country. My Lord, I confidently hope that it will not be long before a Muslim University will also come into existence, and that the two—the Hindu University and the Muslim University—will work together in friendly co-operation for the good of the youth of India, Hindus and Mussalmans,—that they will work as sister institutions to promote that real cordiality of feeling between them, the want of which so much hampers our progress and is regretted by all who desire the good of India.

"My Lord, I have carefully read the criticisms that have been levelled against the Bill before us, and it is only fair that I should explain the attitude and action of the promoters of the Hindu University. We are very thankful to the Secretary of State for according his sanction to the proposal to establish what have been described as denominational Universities—which marks a new and liberal departure in the educational policy of the Government. But our thanks are due, in a larger measure, to the Government of India who have from the beginning given the movement their consistent and generous support. In the first proposals which we placed before the Government, we desired that the Viceroy and Governor General of India should be the Chancellor, *ex-officio*, of the University. That was unanimously supported by the Government of India, and our most sincere thanks are due to them for that support. But unfortunately for us the Secretary of State did not think it right that the Viceroy should be the *ex-officio* Chancellor of the University; he decided that the University should have the power of electing its own Chancellor; but he also decided, and we are very thankful to him for it, that the University should have the power to appoint its Professors without reference to the Government. The privilege of having the head of the Government as head of the University was one that was naturally highly valued by us, and we submitted a representation asking that the decision of the Secretary of State on that point might be reconsidered. But on being given to understand that that decision was final, we reconciled ourselves to it, finding solace in the fact that the University would have the right instead to elect its own Chancellor. But subsequently the Secretary of State decided that even this privilege should be withheld from us, and that the Lieutenant-Governor of the United Provinces should be the Chancellor, *ex-officio*, and should exercise all the powers which the Governor General was to have exercised. This new proposal met with strong disapproval both in the Muhammedan and the Hindu community. It was thought that we had arrived at an impasse, and that the scheme would have to be dropped. It was in that state of affairs that, with the generous sympathy of your Excellency's Government and of the very kind support which the Hon'ble Sir Harcourt Butler gave us, we were able to arrive at the compromise which is now embodied in the Bill, under which the Lieutenant-Governor of the United Provinces has become the official Visitor of the University, and the University has the right to elect its own Chancellor. This conclusion has secured much of what the Government wanted; but it has, at the same time, allotted to us a sufficiently large measure of independence and freedom in the internal affairs of the University. My Lord, we did not reconcile ourselves to this solution without reason. We felt that as the University is to have its

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home in the United Provinces, it will be an advantage that the head of the United Provinces Government should have an official status in the University. We recognised that that will be the best arrangement to ensure that the relations between him and the University should be cordial and friendly. I hope and trust that the fact of the Lieutenant-Governor being the official Visitor of the University will prove to be a guarantee and an assurance that such cordial relations will exist between the University and the Government. My Lord, much objection has been taken to the large powers that have been reserved to the Governor General under section 19 of the Bill. We have accepted them, because, as the Hon'ble Sir Harcourt Butler has explained, they are only emergency powers, which may never be exercised, and can only rarely be exercised. I do hope they will seldom, if ever, be exercised. But assuming that the Governor General in Council should at any time think that there is anything wrong with the University which requires an explanation, we shall neither be afraid nor reluctant to offer such explanation. The movement has from the start been worked in the conviction, the deliberate conviction, that it is essential for the success of the University that it should secure the good-will and sympathy of Government, and that it should always retain that sympathy. The section in question provides that the Governor General in Council may, in certain circumstances, ask the University to submit an explanation in regard to certain matters, and that if the explanation should not satisfy him, that he may offer such advice, as he may think fit, to the University. I hope that the existence of this provision in the Act will not be felt in the real working of the Act. But even with the power which the Government have thought it fit to reserve in their hands, it is only fair to say that no University existing in India enjoys so large a measure of freedom in the management of its affairs as your Excellency's Government has been pleased to secure to the Benares Hindu University, and we feel very deeply grateful for it. The University will have full freedom in appointing its own Professors and Examiners. It is conceivable that among the Professors so appointed there may sometimes be a case—I hope there will never be one—in which the University did not know as much about the person appointed as the Government. I have no doubt that if such a case should ever arise, it will be dealt with satisfactorily by correspondence. I am sure that with the explanation and assurance given by the Hon'ble Sir Harcourt Butler that if it should become necessary that an explanation should be called for from any member of the staff engaged by the University, the person concerned will not be in a less favourable position than any one serving under Government, the provision in the Bill to that effect will not prevent any good man from offering his services to the University.

“My Lord, some of my countrymen, who are keenly interested in the proposed University and the educational movement which it represents, have somewhat misunderstood the position of the Hindu University Society and of the promoters of the University in respect of some of the powers vested in the Visitor. They seem to think that we have agreed to those powers without demur. That is not so. Sir Harcourt Butler knows that in regard to some of these powers, I have almost—I should not say—irritated him, but certainly gone beyond what he considered to be the proper limits in pressing for certain omissions or alterations. We have fully represented our views to the Government whenever we thought it proper to do so. But having done our duty in that direction, we have agreed to accept what the Government has decided to give. I hope, my Lord, the future will prove that we have not acted wrongly.

“I am certain that as in the course of time experience will show that there are amendments needed in the Act—which I hope will be passed to-day—the Government will receive representations for such amendments in a thoroughly sympathetic spirit. I take it, my Lord, that the object of the Government and the University is to create a great centre for education, where the education imparted should be the soundest and the best. And, in that view, I feel assured that there will be no difficulty in Government agreeing to

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any amendment which may be found necessary. As this Bill is being passed in very special circumstances, and we have agreed to avoid controversy at present, I fear some amendments will have to be made at no distant date; but it is best perhaps that we should bring them forward when the University Court and the Senate have been constituted, and when we have found out by actual experience where exactly the shoe pinches.

“My Lord, I thank God that this movement to provide further and better facilities for high education for our young men has come to bear fruit in the course of these few years. It will not be out of place to mention here that one of the most fascinating ideas for which we are indebted to Lord Curzon, was the idea of a real residential and teaching University in India. I am tempted to quote the words in which His Lordship expressed his ideal of the University which he desired to see established in this country.

‘What ought the ideal University to be in India as elsewhere?’ said Lord Curzon. ‘As the name implies, it ought to be a place where all knowledge is taught by the best teachers to all who seek to acquire it, where the knowledge is always turned to good purposes, and where its boundaries are receiving a constant extension.’

“My Lord, I hope and pray that though we shall begin in a humble way in the fulness of time that the proposed University will fully answer this description. His Lordship wanted to see in India a University which would really deserve the name, as he said,

‘A University which shall gather round it collegiate institutions proud of affiliation, and worthy to enjoy it; whose students, housed in residential quarters in close connection with the parent University, shall feel the inner meaning of a corporate life; where the governing body of the University shall be guided by expert advice and the teachers shall have a real influence upon the teaching; where the courses of study shall be framed for the development, not of the facile automaton, but of the thoughtful mind; where the Professors will draw near to the pupils and mould their characters for good; and where the pupils will begin to value knowledge for its own sake, and as a means to an end. I should like this spark of the sacred fire that has been brought across the seas lit in one or two places at least before I leave the country, and I would confidently leave others to keep alive the flame.’

“My Lord, though this noble wish was not realised in the time of Lord Curzon, I am sure he will be pleased to hear that such a University has come into existence,—or rather is coming into existence—through the generous support of your Excellency’s Government.

“It is still more pleasing to think that the University that is coming to be will be better in one respect than the University outlined by Lord Curzon, because it will make religion an integral part of the education that it will provide. My Lord, I believe in the living power of religion, and it is a matter of great satisfaction to us to know that your Excellency is strongly in favour of religious education. The want of such education in our schools and colleges has long been felt. I believe that the absence of any provision for religious education in the otherwise excellent system which Government has introduced and worked for the last sixty years in this country, has been responsible for many unfortunate results. I do not wish to dwell upon them. I am thankful to think that this acknowledged deficiency is going to be removed at the proposed important centre of education, which is happily going to be established at a place which may well be described as the most important centre of the religion and learning of the Hindus. I venture to hope, my Lord, that the good influence of the Benares Hindu University in the matter of religious instruction will be felt in other institutions, far and near, and that in the course of a few years religious instruction will become an integral part of the education imparted in schools and colleges supported by the Government and the people.

“My Lord, some well-meaning friends have been apprehensive lest we may not agree at the Hindu University as to what the religious education of our youths should be. This is due to a misapprehension. We have, no doubt, many differences among us; we are divided by many sects and forms of worship. Considering that we embrace a population of nearly 250 millions, it

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should not surprise any one that we have so many sects and divisions among us. But, my Lord, in spite of these differences, there is a body of truths and precepts which are accepted by all denominations of our people. For sixteen years and more religious instruction has been compulsory at the Central Hindu College at Benares. There has been no complaint that the instruction so imparted has been found to be unacceptable to any Hindu boy who has gone to that institution. We have, no doubt, to adopt a compromise in these matters. If we do so, no difficulties will be found to be insuperable. I should like, in this connection, to remind those friends who are apprehensive that we may not be able to agree in regard to matters relating to religion, to remember some wise words of Cardinal Newman. Speaking of the constitution of a Faculty of Theology in a University, and pointing out how incomplete a University would be which did not possess such a Faculty, that great teacher has said :—

‘No two persons perhaps are to be found, however intimate, however congenial in tastes and judgments, however eager to have one heart and one soul, but must deny themselves for the sake of each other much which they like and desire, if they are to live together happily. Compromise in a large sense of the word, is the first principle of combination, and every one who insists on enjoying his rights to the full, and his opinions without toleration for his neighbours, and his own way in all things, will soon have all things altogether to himself, and no one to share them with him.’

“In matters of minor differences that there must be a compromise, I believe we have shown by sixteen years of work at the Central Hindu College, that we can drop minor differences, while we adhere to the substantial object which we have in view, and therefore, though the provision for religious instruction has not been put in the Act in the form which I thought was best, I am thankful that it is there to give an assurance to the public that religious instruction shall be a compulsory part of the education at the University. My Lord, I do not wish to dwell upon the amendment which I suggested in my note to the Report of the Select Committee, as I am convinced that no good purpose will be served by my doing so. I accept the provision for religious instruction, as it stands, in the hope and faith that there will be no such differences in the University regarding religious instruction as will defeat one of its basic principles, namely, that religious instruction should form an integral part of the education imparted by it.

“I do not think, my Lord, that I should be justified in taking up the time of the Council any further. I once more beg to offer my thanks to your Excellency, to Sir Harcourt Butler, and to the Government of India, for helping this University to come into existence, and I conclude with the earnest hope and prayer, that this centre of light and life, which is coming into existence, will produce students who will not only be intellectually equal to the best of their fellow students in other parts of the world, but will also be trained to live noble lives, to love God, to love their country and to be loyal to the Crown.”

**The Hon'ble Mr. Dadabhoy :—**“My Lord, on this Council I represent mainly a Hindu constituency, and as far as I have been able to ascertain the feelings of my constituents, they hail with delight the establishment of a University leavened largely with Hindu thought and Hindu sentiment. It is wrong to suppose that the details of the charter proposed to be granted are widely known to the Hindu public. The general approval of the Bill, I take it, is founded upon the belief that a denominational University will conduce to the best interests of Hindu society. Time alone can show if the expectations of the Hindu public will be realised or not. In view, however, of the existing strong sentiment in the matter, Government has taken the wisest course open in pushing the Bill through.

“My Lord, we cannot ignore the fact that this idea of a denominational University was discouraged by the Indian Universities Commission of 1902. That Commission had no objection to the establishment of denominational colleges, but were decidedly of opinion that ‘in the present circumstances of India....., it is important to maintain the undenominational character of

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the Universities'. But this need not interpose any difficulty in our way. The Commission necessarily had in view Universities established by the State, and could not anticipate that the different communities would, so soon after the publication of their Report, demand charters for special Universities suited to their respective needs, the funds for which they undertook to find themselves. The position to-day is far in advance of that present in 1902. The situation is entirely novel; the supervention of unforeseen circumstances has made a re-consideration of the current educational policy imperatively necessary. Government deserves the fullest credit for a sympathetic and statesmanlike handling of the new situation. The Hindu University Bill marks a departure in Government policy full of important possibilities. Whether the results will be wholesome to the Indian community, as a whole or not, is a debatable question no doubt; but, on a review of all the circumstances, ample justification would be found for Government action. It will now be for all of us to watch developments with interest.

"My Lord, when welcoming the Bill in Council in March last, I reserved to myself the right of a close examination of the provisions at the final stage, but I feel the attempt will be unprofitable. The Bill is, to all intents and purposes, a private Member's Bill; the scheme is the result of a compromise between the promoters and Government. These facts necessarily limit the scope of comment. If the party most interested agrees to receive the charter from Government on certain terms, any adverse criticism of those terms by a third party would ordinarily be unwelcome interference with the rights of the contracting parties. It is true the analogy of a private contract does not hold good in a matter of this kind. The Bill has an important public bearing which certainly justifies scrutiny. Besides, we must make it clear that the scheme embodied in it shall not serve as a model for our State Universities. It is contended that the constitution of the Hindu University is more liberal than that of the existing Universities. Even assuming that it is so, it is as well to note that the wider Indian public would not agree to a re-organization of the State Universities on the lines of the new University. But if the provisions of the Bill are acceptable to the Hindu public affected, I for one would not stand out for their amendment according to principles which appear to me right, provided they are not of such a character as to interfere with the rights of non-Hindus. The original clause in the Bill, making instruction in Hindu religion compulsory in the case of Hindu students, did, in my opinion, interfere with the undoubted right of every Indian to demand from Government the observance of strict neutrality in religious matters. Government should never be a party to such compulsory education, but the University authorities may have power to make religious instruction compulsory, if they so desire, in the case of Hindu students. And I am glad, under the beneficent influence of the Hon'ble Sir Harcourt Butler, the clause has undergone the necessary modification in Select Committee. I would have preferred the insertion in the Bill of, what is known as, a conscience-clause, especially in view of the fact that Hindu society is divided into numerous sects, and there is no general form of Hinduism acceptable to all Hindus, and no attempt has been made in the Bill to define the terms 'Hindu' and 'Hinduism'. But a debate about such a provision would raise a controversy which might prove fatal to the proposed legislation. In my desire to see the Bill through, I loyally and gratefully accept the change made in Select Committee. The promoters cannot possibly have any legitimate grievance. The Court, composed exclusively of Hindus, has full authority to make religious instruction compulsory. If the contingency ever arises that such a large body of representative Hindus come to the conclusion that instruction in Hindu religion should not be compulsory, even in the case of Hindu students, it is only right that it should not be so. If compulsory religious education be opposed to Hindu sentiment, there is absolutely no justification for forcing it upon the society; if Hindus want it, the Court can, and certainly will, satisfy the demand. On principle this arrangement is sound, and in practical working it cannot be attended with any serious

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inconvenience. It is only on the assumption that compulsory religious education may not be agreeable to the general sense of the Court, that any fears of its not forming a feature of the new University can be entertained; but the hypothesis itself would justify, nay necessitate, the abandonment of the original idea of making instruction in Hindu religion compulsory by law. Government, with any regard for its policy of strict neutrality in matters relating to religion, cannot undertake to do what the Hindu society itself may hesitate, or be reluctant, to do. If Hindu religious instruction has to be made compulsory for Hindu students the Hindu Court, representing the general Hindu society, must take the responsibility of doing that.

“My Lord, a large mass of weighty but adverse opinion is before us relating to the constitution of the University, and the fear appears to be well-founded that, in actual working, it will lead to constant friction and trouble. The Hon’ble Sir Harcourt Butler himself admitted, when the Bill was introduced, that the machinery provided is complicated. He has also frankly admitted to-day that this is not a Bill the Legislative Department is in the habit of producing. But there is much to be said for the view that the fact is due to unavoidable causes. The larger donors have a right to be associated with an institution which owes its existence to their munificence. Conceding all this, it does not necessarily follow that the scheme of management provided is the only one possible, or even the best conceivable. The donors could have been associated in a number of other ways, without abandonment of the simple but effective arrangement to which we have become used in the existing large Universities, and which has yielded such splendid results in the past. But a re-consideration of the proposed constitution would perhaps have affected one of the fundamental terms of the compromise between the promoters and Government. It will, therefore, be wiser for us to accept the constitution provided, in the confident hope that there will be no reluctance on the part of either the Government or the Council to sanction changes from time to time in the light of experience. The same may be said of the large powers of control reserved to themselves by Government. Unquestionably these powers are very very wide and comprehensive, and it would have been more in consonance with non-official public opinion if the control had been less stringent. The Hon’ble Sir Harcourt Butler’s justification of them is, to be sure, forcible and pointed. The delegation of ampler powers of management to a non-official agency would *prima facie* justify stricter control by Government. But this is only one view of the matter, and does not exclude the possibility of other and different views. It is, however, useless to discuss this point at any length. This is, as is abundantly clear from the Hon’ble Sir Harcourt Butler’s first statement in Council, one of the essential conditions on which the charter is to be granted by Government. It is thus a choice between two alternatives, and the promoters have naturally selected the one that has secured to them the University for which they have striven so hard and so long. The strictness of the control has been justified, because the degrees of the University have been given, by clause 16 of the Bill, official recognition. Some people might hold the view that such recognition has been purchased at a heavy cost, and that it would have been better if there had been less of official control and the recognition of the degrees had been left to the future. But since the promoters have, for reasons which appear to them weighty, come forward to accept the charter on these conditions, we should not be justified in agitating now over them. It is a point worthy of note that, under the existing Allahabad University Act and the Punjab University Act, Government have large powers of interference with the University authorities which have been rarely used. We hope under the new law too the powers will be sparingly exercised.

“My Lord, these are some of the features of the Bill open to criticism, but, as I have shown above, the peculiar circumstances under which this legislation has been undertaken make it undesirable that they should form the subject of controversy in this Council. The two parties most interested have

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arrived at a certain understanding which forms the basis of the Bill, and the interests of the larger Indian public are not directly and seriously at stake. It is, therefore, difficult to find any substantial ground for elaborate discussion about the detailed provisions of the Bill. It is these weighty considerations that have induced me to accept the Bill as it has emerged from the Select Committee, especially as the changes made by the Committee are substantial and meet all urgent requirements, and to support the motion that it be passed into law.

“ My Lord, if the Benares University be a monument to the zeal, devotion and liberality of the promoters, it will be no less a monument to the sympathy and enlightened statesmanship of your Excellency. In the course of the proceedings it has been rightly pointed out more than once that, but for your Excellency's persistent support and encouragement, this scheme would not have materialised so soon. Let us all hope that the new institution will justify your Excellency's noble policy of ‘ trust ’ ; will, under wise management, fully justify the expectations of the whole Hindu public ; and will be the powerful centre of a superior light and of an improved system of high and liberal education. Let us hope that the Hindu University, by a wide dissemination of the high principles of Hindu religion, will inculcate in the students sober and loyal ideas of citizenship, and that the graduates of the Hindu University will ennoble the whole Hindu world by their culture, character and broader outlook, and will be a power in the land by their inventive skill and research. Let us hope further that, by sound training, the University will equip ‘ Young India ’ for the hard struggles of life better than any of the existing Universities do, and that its *alumni*, by mastering the resources of scientific knowledge and applying them to manufacturing industry and commerce, will bring honour, wealth and an independent position within the Empire to themselves and to our dear Motherland. ”

**The Hon'ble Rai Sita Nath Ray Bahadur :—**“ My Lord, I welcome, with satisfaction, the final stage of the measure, unique in the educational history of British India, which will give shape and form to our fondest ideal the combination of ‘ the ancient and honoured culture of India with the culture of the modern western world ’—for which we shall ever remain grateful to your Excellency and your Excellency's Education Minister, the Hon'ble Sir Harcourt Butler. But for your Excellency's courage and sympathy, nobly seconded by the Hon'ble Sir Harcourt Butler, this measure could not have assumed its present form within such a brief space of time. Amongst the noble band of promoters and workers, in this noble cause, the names of the universally respected the Hon'ble the Maharaja of Dhurbhunga, the Hon'ble Pandit Sunder Lal, the Hon'ble Pandit Madan Mohan Malaviya, and the last, though not the least, the name of Mrs. Annie Besant, involuntarily rise to our lips. I do not know how sufficiently to thank them for the self-sacrificing spirit in which they have laboured incessantly for the success of this cause, which is so dear to their hearts and which is so full of potentialities for the future good of the country at large.

“ Of the remarks made against the University scheme, only two deserve mention. To some, it is a violation of the principle of religious neutrality on the part of the British Government to help in the foundation of a University which is said to be sectarian and denominational. I totally deny the truth of this assertion. To the above, my simple answer is, that if it is not a violation of that principle on the part of Government to found Sanskrit colleges and Madrasahs in different parts of the country, it is no more a violation of that principle to help in the foundation of the present University. But, my Lord, I cannot so easily dispose of the other objection as I have done with the former. There is some truth in the statement that the proposed University is going to be saddled with a bewildering number of controlling authorities which have no place in the existing Universities of Calcutta, Madras and Bombay.

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The result of the creation of so many controlling authorities would be, it is feared, greater possibility of friction between these authorities. However, when the promoters and the Government have agreed to the provisions of the Bill under discussion, and when every one wishes to see it put on the Statute-book, during the Viceroyalty of your Excellency, it is unbecoming on our part to stand in the way of this Bill being passed in the present Session.

“ Before concluding, there is only one point to which I crave leave to take exception, and that is, that provision has been made in this University scheme for the teaching of law in preference to subjects of far greater importance. It was only the other day, I find, that a proposal was made, and seriously made, that as Bachelors of Law are coming out in increasing numbers every year, and there is no longer any room for them in the several grades of law Courts, the pleadership examinations should be abolished. My Lord, it is well known that there is ample provision for the teaching of law in Bengal, Bombay, Madras, the United Provinces and the Punjab, with the result that everywhere the number of lawyers is increasing out of all proportion to the requirements of the country. In some places, I hear it has already been found necessary to restrict the number of lawyers practising in the Courts. When such is the case, my Lord, where is the present necessity for the teaching of law in the Hindu University in preference to other more important and necessary subjects—I mean Agriculture and Commerce? It is therefore meet and proper before anything else to make ample provision for, or at least to make a fair beginning with, Chairs for Commerce and Agriculture.

“ With these words, I heartily beg to give my humble support to the Bill.”

**The Hon'ble Maharaja Ranajit Sinha :—**“ My Lord, when the proposal for the establishment of a Hindu University was first started, there was great enthusiasm amongst all classes of the Hindu community, both males and females, educated and uneducated. From the princes down to the peasants, every one volunteered to subscribe to the Fund, so much so, that the poorest people even did not hesitate to pawn their articles to provide funds for the purpose. On the other hand, my Lord, there are persons who do not approve of any sectarian or sectional University. They think that such Universities are not suited to the present conditions of the country. But, my Lord, I think that their objections cannot stand now, as this University will be open to all classes and creeds, irrespective of religion. The only difference between this University and our present Universities will be, that religious instructions will be imparted to the pupils of the former. My Lord, I think that education, however excellent it may be, is imperfect without religious training, and the Government also recognises the fact that it is essentially necessary for the development of the minds of our young men. I hope, therefore, that the proposal embodied in the Bill will be welcome to all right-thinking people in this country.

“ My Lord, there are certain provisions in the Bill to which one might take exception, such as the constitution clause. This is undoubtedly a complicated and a cumbrous one, and might, I think, have been simplified. I myself pointed out to the Hon'ble Member in charge that, under the provisions of the Bill, the Chancellor and the Pro-Chancellor are *ex-officio* members of the Senate, and even if they attend its meetings, they are precluded from presiding at such meetings, as the Vice-Chancellor is *ex-officio* Chairman of all the meetings. However, these are minor matters. When this Bill is the outcome of long discussion between the Government and the promoters of the Bill, I think it is very difficult for any one to suggest to add anything to it or to take away anything out of it. This is a new type of institution in our educational system, and should therefore be given a fair trial. If any defect be found hereafter, it may easily be amended later on. This will be the first non-official University, and I think no one should grudge

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the powers of interference which have been retained by the Government; and, I am sure, they will not be exercised unless a real necessity arises for the good of the University. My Lord, your Excellency's name is associated with the Universities in India. We are going to have Universities at Patna, in the Central Provinces, and in other provinces, though we have not got all that we want in that respect, but it must be admitted that, during your Excellency's régime, education has advanced by leaps and bounds. And, undoubtedly, this is the first official step for the promotion of Hindu learning.

"We Hindus are all deeply indebted to your Excellency and your Excellency's Government for the creation of a Hindu University, and your Excellency has given further proof that your Excellency is always anxious to meet the legitimate wishes of the people, and of your regard for their religious feelings and sentiments. My Lord, I take this opportunity also of thanking the Hon'ble Sir Harcourt Butler for the way in which he has piloted this Bill in this Council, and the promoters of the Hindu University scheme, and especially my esteemed friends, the Hon'ble Maharaja Bahadur of Dhurbhunga, and the Hon'ble Pandit Madan Mohan Malaviya, for their zeal and devotion in bringing about the success of this Bill.

"With these few observations, I support the Bill."

**The Hon'ble Mr. C. Vijiaraaghavachariar:—**"My Lord, the motion asks for the final voice of the Council which will give the force of law to the measure before us. I desire to say that I wish to support the motion, not because the Hon'ble Member in charge of the Bill has uttered a woeful warning to us; but in the discharge of my duty and on the merits of the measure itself. I believe it to be a great measure, and I desire the attention of the Council for a while, while I make some remarks not in the hope to enlighten the Council on any matter, but more to think aloud in order that I might guide myself in finding my way through, for I fear there are some obstacles that block my passage. I do wish to remove such obstacles, and where I cannot remove them, I hope to cut a passage through or take a clean jump over them.

"The history of the movement is easily told. For some considerable time past ideas were floating in the air everywhere in India, that the education provided by the existing educational institutions in the country was deemed godless, and, on the whole, insufficient to produce either hard-headed thinkers or men of high character. I am not competent to examine the situation and to say what the causes of this feeling were. I strongly suspect that very often it began with a dissatisfaction with the manners of the students who, people thought, did not make so low a bow by way of salutation as their ancestors did. Be that as it may, these ideas slowly materialised. At last, three Hindu schemes were formed separately and independently, namely, those of the Hon'ble Pandit Madan Mohan Malaviya, the Hon'ble Maharaja of Dhurbhunga and a gifted English lady. I say these were Hindu schemes because the distinguished English lady is a Hindu by faith and confessedly was a Hindu by birth in one of her previous lives. Then fortunately a consultation was held, and the result was that these three schemes were fused into one. I betray no secret when I say that the most vital part of the amalgam, in fact the protoplasm of the present measure was that of the Hon'ble Pandit Malaviya. Then, gigantic efforts were made for developing the new scheme, funds were collected, the co-operation of Government was obtained and here we are.

"It has struck me that three courses were open to the promoters and founders of the University for carrying out their object. They might have formed a society to launch the University and registered it under the Societies Registration Act (XXI of 1860), and brought about and adjusted such relations as they desired with Government on its administrative and executive side. Or

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they might have obtained a Royal Charter. Or they might have resorted to a legislative enactment of this Council. They have elected to adopt the last course. Of the reasons as to why they elected to adopt this course, I am not aware ; nor why they could not have adopted one of the other two courses open to them.

“ The next thing that struck me as somewhat interesting relates to the framing of the enactment. It consists of two parts, namely, the Bill proper and the Statutes. We have to pass both, and these together make up the enactment. We then give the University power to tamper with one portion of it as it likes, *i.e.*, the Statutes, which it may modify, annul or add to as it pleases. In my humble opinion, this Legislature has no such power to allow the University to deal, as it likes with an enactment of this Council. When once we make a law, it is for ourselves to deal with it and, if we so desire, to modify it. By the courtesy of the Hon'ble Sir Harcourt Butler, I had an opportunity to discuss this question with him and with others who have had much to do with the framing of the Act. I must admit that their construction of the Indian Councils Acts is broader, and such an interpretation would occasionally be more beneficial than mine. Mine is certainly narrower ; but it strikes me all the same that I am right and they are wrong. When we pass a law we can permit nobody in this country to do with it as they like. Mr. Muddiman was alive to this fact, and was quite ready to take up the logical position that the whole enactment can be so dealt with, but he told me it won't happen, that no such difficulty would arise. But the Bill is nevertheless open to this objection. He says that this Legislature, subject to the Indian Councils Acts, has the sovereign powers of Parliament.”

**His Excellency the President :—**“ Order You should not refer to Mr. Muddiman's opinions.”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ He is part of the Government, my Lord, and that is why I referred to him. The construction put forward on behalf of the Government—I won't mention names—is very good for me. That construction is that, subject to the Indian Councils Acts, this Legislature has the same sovereign powers as Parliament. My humble contention was that this Council is a creature of Parliament, and derives its entire power from Parliament. It has no other power whatever. However, I shall bear in mind the construction put by the Government on these Acts because I, more than anybody else, stand in need of resources outside our Acts and Rules.

“ The next point I wish to call the attention of the Council to, is that there are two sets of powers under the Act, *i.e.* the powers secured for the Visitor, and the powers secured for the Governor General in Council. My contention is, that they are identical powers, and that they both substantially relate to one and the same subject-matter, which I will illustrate here. Suppose the Visitor under one set of powers hereby vested in him examines the proceedings of the University and passes an adverse order at 2 o'clock on a particular day in Allahabad. Suppose, again, that the Governor General in Council, under the other set of powers vested in him, examines the same proceedings with reference to the same point and passes an order at 2 o'clock on the same day approving of those proceedings. What would be the effect of these two conflicting orders ? Therefore, I respectfully suggested that the orders of the Visitor might be open, not to appeal, as the Hon'ble Sir Harcourt Butler supposed, but to revision at the discretion of the Governor General in Council. This is an entirely technical objection too which I did not want on this occasion to press by dividing the Council, and as I should probably find myself in a glorious minority of one, I withdrew this amendment also. But I would venture to say that, in my humble opinion, begotten it may be of a lingering vanity on my part, the advisers of Government are absolutely in the wrong in their view of the construction of the Indian Councils Acts in this connection as well.

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"I shall now proceed to consider some of the chief provisions of the Bill on their merits. I wish, my Lord, that the powers of control were somewhat limited in their scope and attenuated in their nature, if possible; but the assurances given by the Hon'ble Member in charge not only now, but also in his letter of the 18th July, 1914, to the Hon'ble the Maharaja of Dhurbhanga, satisfies me that there is no real need for apprehension, and that these powers would be exercised very rarely, if at all.

"I beg leave to examine some of the objections urged against the scope and objects of the Bill. It has been said that this is a denominational University. I really do not understand how any one can call it a denominational University. A denominational University refers to a University founded by one of the numerous sects appertaining to one, and the same religion, and for the furtherance of the doctrines of the particular sect or denomination. There can be no denominationalism relating to any religion until schisms arise in it. Now we can all understand what is meant by 'denominational' if we remember what the word 'denominator' means in a vulgar fraction. It shows into how many parts the integer is divided. So the word 'denominational' necessarily implies parts which compose one whole. Now, to call the Hindu University a denominational University is to use inaccurate language. The Act expressly says (and also the proposed regulations) that the University would be confined to teaching only those tenets, those doctrines and dogmas, which are accepted by all the denominations, *i.e.*, by all the principal denominations of the Hindu religion. It being so, I am surprised that very distinguished educationists have used the words 'denominational' and 'sectarian' in speaking of the proposed University, altogether forgetting the cardinal meaning of the words. But assuming it is denominational, it does not follow that all the associations which that word connotes in England would arise in the particular case here. Most of the American Universities and Colleges are denominational, and Lord Bryce sounds a note of warning that the word 'denominational,' when applied to the American Colleges and Universities, does not connote the same thing that it connotes in Europe or England. Therefore, the word 'denominational' if applied to Universities in India would not carry associations which arise in England. But, in either case, I cannot understand the next objection that the encouragement of such a University by Government marks a departure in the educational policy of Government. Such statements have been made; but as far as I can see, no one has told us the reason why and wherein lies the departure. Whether it is a denominational University or a religious University, it is open to any persons, being His Majesty's subjects, to found a University for that purpose. Such a University could be founded without any assistance, without any co-operation, or encouragement from the Government. What the Government has done in this particular case is, it has secured powers of control in its own interests and in the interests of the public. This is not encouragement, this is not being a party to the founding of a denominational University. I cannot understand then wherein consists the departure in policy. Government and District Boards and Municipal Councils have been giving grants to denominational schools and colleges where religious instruction is not only compulsory for the children of the particular denomination, but also for the children of other denominations, as well as for the children of other religions. Here, it is much less. The Hindu University not only did not propose to give religious instruction to any others than Hindus, but it is most unwilling to do so, and it has yielded only at the end at the request of people who are not Hindus and who do not profess Hinduism. And above all, attendance of non-Hindu students at religious instruction is not compulsory but quite optional. Now, if at all, therefore, the policy of the Government in this connection is to be criticised, I respectfully submit it is not a deviation from the established policy of Government in matters of education, but a welcome and sound application of it.

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“Then, my Lord, a number of reasons are urged why the Government is encouraging this institution. I am sorry I cannot put forth an *ex-cathedra* defence on behalf of Government, if a defence is needed at all. I asked for papers which have been refused. I do not make any complaint; I only mention this fact in view to shew that I am free to make my own guesses as to why, and in what circumstances, Government is so enthusiastically in favour of this scheme. I make no complaint because I am in very good company. I find that Local Governments, High Courts, Chief Courts, and other eminent bodies and distinguished personages have been treated exactly alike. I congratulate the Hon'ble promoters on this very interesting attitude of Government. It is the reign of faith as against the reign of reason. The holy University is begun; so everybody is called upon to act on faith. I see no reason why I should not act on faith either. Acting thus on faith, I believe that the reason for Government so enthusiastically supporting the proposal is, that they think probably that the religious University would be manufacturing a better set of citizens than are to be found now, and that the products would better co-operate with Government, and would possess higher character and exhibit, well possibly I should say, more loyalty. This is, I believe, the expectation and the hope of Government. On the other hand, it may also be mentioned, from the speech of the Hon'ble Member in charge when he introduced the Bill, or rather when he asked for leave to introduce it, which speech I beg leave to mention was a great speech—great not only when delivered but also when read in print, and that is a very rare merit indeed—that there is even a personal enthusiasm on his part. I would attribute this to two causes, of one of which he was, of course, unconscious, and that cause is that last infirmity which actuates noble minds, namely, the desire of fame and immortality. There is no doubt he desires to commemorate himself with the foundation of this great University; else I cannot understand the reason why the piloting of this great measure could not be postponed to the more regular March session. However, there is the other and more unselfish reason, and that unselfish reason is, that he expects, with the assistance of the Hon'ble Pandit Madan Mohan Malaviya himself, to provide future members for this Council who shall subject Government measures to less trenchant criticism, and who would the more easily say ‘aye’ to all the Government measures than Pandit Madan Mohan Malaviya himself. Be that as it may, these are what, I believe, to be the intentions and motives of the Government, if I can use the word ‘motive’ as regards the policy of Government.

“My Lord, I would take occasion here to allude to one important criticism; one gentleman says that the attitude of Government smacks of a desire to ‘broaden’ the principle of ‘divide and rule’. I call attention to this fact only in view of the baseless and careless criticisms occasionally made in the newspapers, that if one makes a statement of this kind and there is no contradiction, then that opinion must be taken as representative. I have no other reason for alluding to it. The statement in question is both rash and inopportune. Statesmanship, both English and Anglo-Indian, is entering on a new phase as regards India. It is just at this time that this gentleman finds his way to make this suggestion because Government, as custodians of public interests and in its own, have secured vast powers of control in respect of the proposed University. The statement is most unfortunate. Unquestionably statesmanship here and at home is entering and has entered a new phase as regards India, and that is very clear and is borne out by facts. Nothing shows this more conclusively than the interesting spectacle of the last Royal Commission on India concealing its report just now; well, if it is worthwhile to conceal it during the war, it would be certainly worthwhile burying it after the war. My Lord, if then I find that none of these objections stands in my way, it may be asked what was my hesitation owing to? My view has all along been that a religious and lay University combined has not been a great success in the world. I need not call attention to the difference that exists between the products of the Universities of Oxford and Cambridge. Oxford, more loyal to the Church, has produced no

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analogue of the immortal roll of those hard-headed and fertile thinkers and reformers from Newton down to the Right Hon'ble Mr. Balfour which the more liberal Cambridge has the honour to own. I would not here mention the name of him under whose illustrious auspices India is entering on a new phase of life, who is also a Cambridge man. We all remember the brilliant remark of Macaulay that Oxford had the honour of burning some of the best products of Cambridge. Then let us take America. The vast majorities of the Universities and Colleges in America are denominational ; but America has not yet become a model nation ; it is a remarkable phenomenon that not only has she not produced a Shakespeare, or a Shelley, a Bacon or a Newton, but also she has not produced a John Howard or a Miss Florence Nightingale either. She has not got rid of her lynch law ; her one great object is to become the Banyas and Marvadies of the world, and she continues in her worship of the almighty dollar at this momentous crisis of the world, to the phenomenal neglect of national ideals. My Lord, I had all this in my mind, and I therefore hesitated to regard the proposed University of Benares as an unmixed blessing. At the same time, we can see that it is possible for the administrators to avoid the danger that would arise by planting and blending the two systems together. They can easily imagine what would be the circumstances in a combined University. A Professor of the magnetic personality of a Huxley would keep the boys in a trance while he taught them how to extract the great secrets of nature. He tells them that man is where he is by his own unaided efforts, and that he will be where he desires to be by his own efforts, and that God for his own reasons has not told us scientific truths in any revealed religion. Just at this time the bell rings and the Maha-Acharya in sack cloth and ashes enters and says 'halt, reason, thus far shalt thou go and no further.' He begins to lecture and the students are bound to listen to him with a reverential eye and without the liberty of asking a single question even to understand what he is saying. The intellect is thus arrested and oscillates between the two kinds of influence, and then trembles into silence. The result is, that the products of such a University are necessarily inferior in kind to those of purely lay Universities, and so great caution is needed in administering a combined University such as the proposed one. At the same time, I have no right to oppose my individual opinion, untested by actual experience in this country to the views of innumerable and distinguished men who have devoted years of labour to the study of the subject and to a scheme to which Government has thought fit to connect itself and which it is willing to support. The Hon'ble Sir Harcourt Butler made a very touching reference to the efforts of the promoters simultaneously with the huge war and, my Lord, I believe I shall be justified in drawing lessons from this war in view to assessing the value of religious instruction and in view to throwing some light on the sort of administration the University should aim at, and to what extent the powers of control secured by Government should be exercised. What do we find ? We find that two peoples, sprung from the same stock and pursuing the same form of religion, are now at the opposite poles of humanity. The Englishman of to-day is to his cousin the German what the noble British mastiff is to his feral cousin the wolf of Northern Europe. I believe one is entitled to ask what has brought about this phenomenal difference in character. How is it that the Corsairs of 1500 years ago—*via* England are....."

**His Excellency the President** :—"The Hon'ble Member should confine himself to the subject this is not a historical debate."

**The Hon'ble Mr. Vijiaraghavachariar** :—"May I illustrate my point with one fact ?"

**His Excellency the President** nodded assent.

**The Hon'ble Mr. Vijiaraghavachariar** :—"I will omit a good deal of what I had intended to say in view of your Lordship's ruling. We find the two peoples one defending freedom and humanity at the only

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Thermopylæ where it can be defended, and the other threatening to damage and destroy them ; and we are entitled to ask what has brought about this great difference in the national characters. That is a question that must be left to philosophic historians to analyse and pass a verdict. In the meanwhile, I venture to submit that it is not due to race or religion, but to the gigantic efforts constantly made by the English to secure and maintain, a high degree of political and economic freedom and the liberal institutions springing from these efforts and the interaction of the men and institutions on each other.

“I would, therefore, desire to point out that, in order to carry out the object of Government, namely, to produce a better type of citizens in India, the one and only one way is, to extend to this country the blessings of those liberal institutions which the Englishman enjoys, and, if he is not considered as fully deserving, then to educate the Indian without claiming any further holiday—the gospel of Royal Commissions on India—and so as to make up for lost time.

“I forgot to say what I had intended to say about the constitution of the proposed University. So far as the outlines of this constitution of the University are concerned, I really cannot understand why there should be any objection to it, merely because it appears complex. A distinguished educationist, Mr. Rudra, M.A., the Principal of St. Stephen's College, Delhi, welcomes this constitution. Examining it in all parts, I cannot but agree with him, and I think that it is a very well-devised scheme.

“I had intended to say something more about this great measure, but I think it is unnecessary for me to detain your Lordship and the Council any further. In conclusion, I would only ask your Lordship and the Honourable Council to believe me when I say that, notwithstanding my doubts, and laying aside my incompetent and ill-informed judgment as unequal to the task and to this great occasion, I honestly and cordially mean to support the motion, and I shall vote for it.”

**The Hon'ble Sir Ali Imam :—**“My Lord, among the numerous things that the Hon'ble Mr. Achariar has said to-day there is only one with which I am concerned. The Hon'ble Member has said that the passage of this Bill in its present form is *ultra vires* of the powers of this Council under the Indian Councils Act. That I understand to be the gist of a very long sentence in which he assailed this part of our work here. My Lord, this is not the first time when the Hon'ble Member has attempted to take that attitude, and in the past, whenever he has done so, he has not been generally very successful, not for want of ingenuity, but I think for want of soundness of argument. Now, this Council has powers, under the restrictions imposed in the Indian Councils Act, just as extensive as Parliament itself, and my Hon'ble friend, who is himself a practising lawyer, must know that the very well known Privy Council case of the Queen *versus* Burah has established that proposition ; and I do not know whether it will be at all necessary for me, in the absence of any clear criticism from my Hon'ble friend as to what are the grounds upon which he thinks that the Indian Councils Act makes the passage of this Bill *ultra vires*, to do more than refer to this decision. But all that I may assure him of is this, that there is a very distinguished authority which goes to give Parliament power of far more extensive a character than is even contemplated by the Hon'ble Member there. This very distinguished authority is a jurist who says, ‘Parliament can do everything but make a woman a man and a man a woman,’ and I may assure the Hon'ble Member that this impossibility this Council has never attempted to accomplish, nor has any intention of doing. Therefore, under the circumstances, Hon'ble Members of this Council may be quite assured that, if they allow the passage of this Bill through this Council, they will in no way be departing from that authority which vests in them constitutionally under the Indian Councils Act.”

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**The Hon'ble Sir Harcourt Butler :—**“ My Lord, on behalf of your Excellency's Government, I desire to congratulate the Council and the promoters of this movement on the result of this debate. The Bill is going to be passed into law, and I should like to congratulate this Council and the promoters of the movement, and more especially the three most active among the many workers in the movement the Maharaja of Dhurbhanga, Dr. Sundar Lal and the Hon'ble Pandit Madan Mohan Malaviya. We have had many discussions together, and we have come to agreement at the end. The Government of India wish well to the future of this University, and we are prepared, when certain conditions have been fulfilled, to assist the University by making to it an annual grant of one lakh of rupees.”

The motion that the Bill be passed was then put to the Council and agreed to.

**His Excellency the President :—**“ I am indeed very pleased that the Hindu University Bill that has been under discussion during the past four years has to-day become the law of the land. I warmly congratulate the promoters, and believe firmly that, in spite of small differences of opinion upon the constitution of the proposed University, time will show that its results are beneficial to the Hindu community.

“ It is now more than a year that we have been at war ; and although we may have been disappointed in our earlier calculations that the war would not last twelve months, and in our hopes that Germany and Austria would by this time have been crushed by the weight of the forces opposed to them, it is nevertheless an indisputable fact that the outcome of the war has so far proved a far more bitter disappointment to the enemy. Evidence from every side tends to show that Germany had been secretly preparing for the last twenty years to strike such a blow as would secure for her the mastery of Europe and undisputed dominion of the world. Her expectation had been to crush France in a few weeks, and then to be free to apply all her strength and that of Austria to defeat and dictate such terms to Russia that the latter Power would ever remain subservient to her aims. The German programme was to have been completed in a few months, but although, owing to her treacherous violation of the neutrality of Belgium, which she was bound by Treaty to respect, Germany still retains possession of the greater part of Belgium, a considerable part of Northern France, and a large slice of Russia, her plans have miscarried, and she is now further than ever from the attainment of her aims. We can feel nothing but admiration for the magnificent courage and tenacity with which, in spite of their shortage of arms and munitions, our Russian allies have met the sledge hammer strokes of Germany, and thanks to the remarkable strategy of the Russian commanders, have maintained their armies intact while dealing smashing counter-strokes to the German offensive. It is clear that such tactics must inevitably hasten the end by the exhaustion of the enemy. The deciding factor in this war will, however, be proved in the end to have been England's sea-power which has already cost Germany the loss of her Colonies, the destruction of her trade, the ruin of her finances and severe economic pressure. In the meantime Germany is hemmed in by land and sea ; she has succeeded so far in keeping the German soil free from the invader, but time is against her. While the forces of the allies have increased by millions, and their shortage of arms and munitions is being made good by the factories and workshops of the whole world, whose supplies under the protection of the British Navy pass almost unmolested over the waterways of the wide seas, the enemy is fighting in diminishing numbers, with decreasing material, and with ever-growing financial and economic difficulties.

“ During all this time Belgium hangs like a millstone round the neck of Germany, for she knows that not one of the Powers who have taken up arms and are making huge sacrifices in blood and treasure for the triumph of right over might and of truth over treachery, will ever sheathe the sword so long as a single German soldier remains on the outraged soil of Belgium. The breach of

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all accepted international obligations and conventions in war, and the cruel and barbarous treatment of helpless people by German soldiery have hardened the hearts of all, and have steeled the determination of the allies to crush, for ever, the arrogant pride of a nation whose avowed aim is the downfall of civilisation and the negation of liberty. The struggle may still be long and arduous, but in a few months' time the end should be in sight.

"In India, tranquillity has prevailed, and measures taken under the Defence of India Act have succeeded in restoring order in the Punjab, which had been disturbed during the course of last cold weather by the return of emigrants from Canada and the United States imbued with revolutionary ideas. The powers granted under the Defence of India Act have been used with great care and discrimination by His Honour the Lieutenant-Governor, and there is every reason to believe that the loyal people of the Punjab have been thoroughly satisfied with the working of the Special Tribunals created under the Act. I wish, at the same time, to express my appreciation of the loyal attitude of the people of the Punjab in the assistance they have readily given to the police in hunting down these dangerous desperadoes, and my admiration of the fearless and courageous devotion to duty of all ranks of the Punjab police.

"On the frontier, I regret to say that our posts have been repeatedly attacked by large bodies of ignorant and fanatical tribesmen from tribal territory, but in each case they have been successfully driven back with considerable losses, and at the cost of a few lives amongst our own soldiers. I always regret such useless waste of the precious lives of our soldiers at the hands of these hordes of barbarous tribesmen. Nothing could have been more staunch and loyal than the attitude of our own tribesmen living within our border.

"The Amir of Afghanistan has, from the beginning of the war, observed an attitude of strict neutrality, and I have every reason to believe that it will be rigidly maintained.

"In Persia, the situation leaves much to be desired. Roving bands of Germans and Austrians, armed with rifles and machine-guns, have been wandering throughout the country trying to stir up trouble, and, as in the case with Turkey, to provoke Persia to take hostile action against the allies. Only recently, thanks to the encouragement of German agents, two British officers and an Indian soldier were ambushed and killed by tribesmen near Bushire, and the British Consul at Ispahan was fired at and slightly grazed by a bullet, while his Indian orderly was killed. Owing to the insecurity in Bushire and the danger to life and property in that port, our troops are in occupation of the city, and, with the consent of the Persian Government, will remain there until steps have been taken by the latter to restore internal peace and order. We trust that such steps may not be long deferred.

"I wish now to refer to a personal matter. I am aware of the appeal that you made to the Secretary of State for an extension of the term of my office and I am equally well aware that your appeal received support from influential meetings held all over India. As I told you in Council on the 25th March, the decision in such a matter did not rest with me, but you knew, as His Majesty's Government knew, that I was ready and willing, as I ever am, to do whatever the King-Emperor and His Majesty's Government might wish me to do for the good of the Empire and of India. In such a case no personal considerations could have any weight, and I would gladly obey any behest of the King and His Government so long as I enjoyed health and strength to carry it out. When I was asked by the Prime Minister, with the King's approval, if I would consent to remain in India till the end of next March, I readily agreed, and I was fortified in this decision by the knowledge that, in doing so, I was meeting the wishes of the people of India, and thus making some slight but inadequate return to them for the overwhelming sympathy and affection that I and mine have always received from them.

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“ Moreover, in these critical times, it is a source of happiness to me to be able to do anything, however small, to help the Empire, and especially if, in so doing, I can also help India, in whose people I have implicit confidence and trust. There has, I believe, been some disappointment that the term of extension was not longer, but I ask you to believe, as I do myself, that in this the British Government know best, and that their decision has been actuated by what they believe to be the best interests of India. We can only hope and trust that by next spring this horrible war may be over, or at least in its closing phase.

“ Now, after this personal explanation, I wish to address a few words to you, my friends and colleagues of the past three years. Nobody can look back upon the past fourteen months of war and the part that India has played in it with greater pride than I do, and nobody can be more appreciative than I am of the deep-seated patriotism and whole-hearted loyalty of the people of India, which will ever shine forth as a beacon to the future and illumine the history of this land. But as the war progresses, its pressure will naturally be felt more and more, and, although the final result is beyond question, there may be phases of anxiety and depression in store for us in the future. When these times come, if they do come, we must show the world that India is united, that the blood of Englishmen and Indians has not been shed and intermingled on the battlefield in vain, that all attempts to create trouble and sedition in this land are vain and fruitless, and in this task I confidently count on your assistance and the co-operation of the people in preserving the fair fame of India, that I prize so highly, untarnished to the end.

“ It is a source of real pleasure to me to feel that to-day is not a day of farewell between us, and that, like me, you also have received an extension of your term of office, I shall consequently look forward, with pleasurable anticipation, to meeting you all again in Delhi in January.

“ I should like to take this opportunity of making a statement on the business of the Delhi session, and the approximate date on which the Legislative Council will meet in the cold weather. If the war continues, it is the intention of Government during the coming Delhi session to follow the principle accepted this year and to postpone, as far as possible, all controversial legislation, save such as is of such an emergent nature as to make such a course impracticable. I received great assistance from Hon'ble Members this year in avoiding controversial business, and I have no doubt that my Government will receive the same consideration at your hands in the coming winter session.

“ As to the date on which the Council will meet, you will remember that this year the session began on the 12th January, and the Council was then adjourned until the 23rd of February. Considerable personal inconvenience and expense was caused to Additional Members by this procedure; many Members returned home immediately after the first meeting, and did not return to Delhi until the end of February. Others, who had come from great distances, were unable to return to their own provinces in the interval, and were detained for six weeks at Delhi to no purpose. Incidentally also, this adjournment involved considerable unnecessary expense to Government, and in the case of official Members some dislocation of provincial arrangements. These disadvantages are unavoidable in an ordinary year when a full session is held, and are more than compensated for by the full discussion of important Bills and Resolutions. The circumstances, during the next session, will, however, be exceptional, as no controversial business will be transacted, and I do not think that any useful purpose will be served by my summoning the Council to meet in January, and then postponing future meetings until late in February as was done this year. I propose therefore, unless some unforeseen occasion arises, not to have any meeting of the Legislative Council in the coming cold weather until the middle of February. The exact date will be notified to you later, and will necessarily depend on the amount of legislation that is undertaken. For

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[*His Excellency the President.*]

it must be remembered that the careful examination of details of non-controversial legislation takes a considerable time. I trust that you will understand that, in taking this course, I am actuated solely by the desire to avoid personal inconvenience to Hon'ble Members and unnecessary dislocation of business. Further, to allay any idea that this procedure may, in future years be regarded as a precedent for postponing the opening meeting of the cold weather session, I may add that there are no grounds for such a misapprehension; my government is fully aware of the great advantages which are secured by the full discussion of public questions in this Council, and has no intention or wish to curtail the cold weather session in normal times. The procedure, which I propose to adopt for the coming session, is an exceptional procedure adopted in exceptional circumstances.

"When we re-assemble for the cold weather session in Delhi, my Council will, to my regret, have lost its two senior Members in Sir Harcourt Butler and Sir Ali Imam, and this Council will have lost its *Vice-President*. It is hardly necessary for me to expatiate at length on the great services rendered by Sir Harcourt Butler to education and sanitation during his tenure of office as Member for Education. The immense development of education and sanitation that has taken place during the past five years, and the skill with which he has piloted through all its stages, the Hindu University Bill that has just been passed and other educational measures, speak for themselves. He is now about to undertake the government of an important province of the Indian Empire, and I am sure that he will achieve the success that we all wish him.

"As for Sir Ali Imam, I can only speak of him as a colleague imbued with the highest sense of duty, patriotism and loyalty. Not only by his actual service as head of the Legislative Department, but also by his constant helpfulness and loyal but straightforward advice, he has been of the utmost advantage and assistance to me and my government. Now that he will be retiring into private life, we wish him all success and happiness.

"One word more before I close. This is, also to my regret, the last occasion when we shall have the pleasure of seeing our friend Sir William Vincent sitting at that table in front of us. I feel sure that I am only giving very inadequate expression to the feelings of myself and this Council when I say how warmly we all appreciate the tact, ability and unfailing courtesy with which he has always performed his duties as Secretary of the Legislative Council. We shall miss his genial and friendly presence next February, but our loss is the gain of the Province of Bihar and Orissa, where I am quite sure that he will fulfil his new duties with the same satisfaction to all, as he has performed his old. We all wish him every success.

"I now declare this session closed."

The Council adjourned *sine die*.

SIMLA ;

The 8th October, 1915.

A. P. MUDDIMAN,

Offg. Secretary to the Government of India,  
Legislative Department.

# APPENDIX A.

[Referred to in the Answer to Question 5.]

Statement showing the action taken under the Provisions of the Defence of India Act, 1915.

Provinces.	Number of persons tried under the special procedure of section 3 of the Defence of India Act.	Number of persons respectively discharged, acquitted and convicted in the course of the prosecutions mentioned in column 2.			Number of persons whose cases are still pending in the prosecutions mentioned in column 2.	Number of persons who have been prosecuted for a breach of any orders passed in accordance with the rules under the Act or for a breach of the rules themselves	Number of persons respectively discharged, acquitted and convicted in the prosecutions mentioned in column 7.			Number of persons whose cases are still pending in the prosecutions mentioned in column 7.	Number of persons against whom orders have been passed under Rule 3 of the Rules published with Home Department notification No. 1196, dated the 2nd April 1915, as subsequently amended by Home Department notifications Nos. 1881 and 2374, dated the 18th June and 30th July 1915, respectively.
		Discharged.	Acquitted.	Convicted.			Discharged.	Acquitted.	Convicted.		
1	2	3	4	5	6	7	8	9	10	11	12
Madras ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	2
Bombay ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	2
Bengal ..	133	Nil.	13	65	55 (15 absconding.)	Nil.	Nil.	Nil.	Nil.	Nil.	26 (Orders against one held in abeyance.)
United Provinces ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	5
Punjab ..	3,108	2,738 ( <i>Nolle prosequi</i> entered in the case of 2373.)	70	141	157	Nil.	Nil.	Nil.	Nil.	Nil.	53
Burma ..	Nil.	Nil.	Nil.	Nil.	Nil.	1	Nil.	Nil.	Nil.	1	2
Bihar and Orissa ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
Central Provinces ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
Assam ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
North-West Frontier Province ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	1
Coorg ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.
Delhi ..	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	Nil.	7
Total ..	3,239	2,738	83	206	212	1	Nil.	Nil.	Nil.	1	98





## APPENDIX B.

[Referred to in the Answer to Question 7.]

Statement showing the strength (officers and men) and cost of the Police in the several Provinces for the years 1904 to 1913.

Province.	1904.			1905.			1906.			1907.			1908.			1909.			1910.			1911.			1912.			1913.		
	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.	Officers.	Men.	Cost.
			Rs.			Rs.			Rs.			Rs.			Rs.			Rs.			Rs.			Rs.			Rs.			Rs.
Madras Presidency ...	3,138	21,080	47,77,336	3,108	20,485	46,00,280	3,419	20,759	5,353,068	11,304	24,062	61,49,621	1,524	23,300	69,99,681	1,706	25,746	74,10,371	1,898	27,370	80,08,771	1,891	28,78	80,92,787	1,950	28,979	88,57,451	1,977	29,014	91,60,692
Bombay Presidency ..	4,676	17,646	45,11,619	4,627	17,318	45,80,398	4,689	17,803	47,50,519	1,553	20,252	51,21,173	793	21,239	54,98,381	842	22,425	60,54,352	75	22,469	61,60,434	869	22,611	64,19,558	1,012	22,738	66,57,319	1,65	22,746	66,61,307
Bengal Presidency ...	3,853	21,426	57,67,487	3,195	15,820	47,59,495	1,686	18,510	5,080,316	1,779	19,454	56,89,657	1,854	19,665	65,00,015	1,942	19,791	66,96,240	2,034	20,045	68,38,150	2,050	20,060	72,13,000	1,322	16,455	66,04,552	1,867	17,479	74,76,151
Bihar and Orissa ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1,155	11,485	41,54,092	1,193	11,396	47,21,480
United Provinces ...	5,269	23,965	61,56,108	5,294	23,173	65,27,584	2,325	26,356	7,231,762	2,267	26,598	76,05,962	2,287	32,305	80,05,577	2,274	32,422	86,55,259	2,260	32,890	84,21,064	2,330	32,865	89,69,078	2,362	32,746	89,92,928	2,363	32,917	89,73,407
Punjab ...	3,286	15,476	33,39,249	767	13,482	37,40,189	871	19,026	4,496,616	987	19,057	46,78,719	950	18,729	49,52,102	948	19,221	50,92,683	1,014	19,944	53,57,297	1,009	19,764	55,60,725	1,065	20,088	56,27,504	1,083	19,188	55,93,419
Burma ...	1,562	11,163	39,08,196	1,640	11,224	41,46,872	1,643	10,875	4,508,875	1,672	11,949	47,44,295	1,126	13,059	53,73,998	1,246	12,579	54,24,701	1,251	12,693	54,88,289	1,442	13,950	56,46,238	1,426	13,361	61,74,402	1,519	13,324	61,65,614
Assam ...	935	2,275	7,35,066	1,421	7,548	23,76,558	1,515	7,764	2,712,337	698	8,940	31,50,958	1,022	9,507	37,64,081	1,047	9,621	41,02,992	1,066	9,696	40,58,169	1,095	10,079	43,88,020	276	2,773	20,40,027	254	1,975	13,25,971
Central Provinces ...	1,884	9,361	20,26,587	1,904	9,046	20,48,649	546	10,560	2,364,275	601	10,512	26,28,019	682	10,738	28,23,866	790	10,721	30,27,518	827	10,657	30,53,698	841	10,484	30,78,477	884	10,729	34,95,157	901	10,643	35,73,013
North-West Frontier Provinces ...	471	2,618	6,05,044	109	2,900	5,76,420	110	2,932	7,489,997	135	3,110	7,43,649	177	3,480	9,73,291	188	3,634	9,87,705	181	3,726	9,87,689	191	3,842	10,09,360	194	3,868	11,45,200	194	3,941	11,18,200

Madras ... .. Burma } Since 1907 head constables are shown in the reports as men. { Bengal ... .. } Since 1906 head constables are shown in the reports as men. { Punjab ... .. } Since 1905 head constables are shown in the reports as men. {

Bombay ... .. Assam } United Provinces ... .. } North-West Frontier Province.

Bihar and Orissa ... head constables are shown as men. { Central Provinces ... .. }

[ *Sir William Meyer ; Sir Ibrahim Rahimtoola ; Maharaja Ranajit Sinha of Nashipur ; Sir C. Sankaran Nair ; Mr Surendra Nath Banerjee ; Sir Reginald Craddock ; Rai Sita Nath Ray Bahadur.* ] [ 15TH FEBRUARY, 1916. ]

**The Hon'ble Sir William Meyer** replied :—

“No facilities for refining gold and silver are available to the public at the Indian Mints. The Government of India are not able to state how far, if at all, such work is undertaken by private agency in this country.”

**The Hon'ble Sir Ibrahim Rahimtoola** asked :—

Silver  
purchased  
for Indian  
Currency.

2. “Will Government be pleased to state to what extent (if any) has silver been purchased in each year for the purposes of the Indian Currency, since the closing of the Indian Mints to the unrestricted coinage of silver in 1893—

(a) in London,

(b) in India ?”

**The Hon'ble Sir William Meyer** replied :—

“I lay on the table a statement\* giving the information asked for.”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur** asked :—

Circulation  
of cut cur-  
rency notes.

3. “Will the Government be pleased to state if any orders have been issued prohibiting the circulation of cut currency notes ?”

**The Hon'ble Sir William Meyer** replied :—

“The answer is in the negative. I will take an opportunity of referring to this question in my speech introducing the Financial Statement.”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur** asked :—

Appoint-  
ment of an  
official as  
Vice-Chan-  
cellor of the  
Calcutta  
University.

4. “Will the Government be pleased to state whether the appointment of an official as Vice-Chancellor of the Calcutta University is contemplated ?”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“The answer is in the negative.”

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

Reduction  
of sentences  
in the  
Lahore Con-  
spiracy  
Case.

5. “In the Press Communiqué issued by the Government, dated the 19th November, 1915, it was stated that the action of the Government of India in reducing the sentences on some of the prisoners in the Lahore Conspiracy case was taken as the result of careful examinations of the facts as proved in evidence against each individual prisoner. Was there any disagreement between the Government of India and the Special Tribunal which tried the case as regards the findings of the latter in regard to some of the facts ?”

**The Hon'ble Sir Reginald Craddock** replied :—

“The Communiqué already issued contains all the information on the point which it is considered desirable to make public.”

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Adulteration  
of food-  
stuffs.

6. (1) “With reference to the reply† given to my question on the subject at a meeting of Council on the 16th September, 1914, will the Government be pleased to state whether they have received the opinions of the several Local Governments on the question of adulteration of food-stuffs ?

\* Not published in these Proceedings.

† Vide page 70 of Council Proceedings of 16th September, 1914.

[15TH FEBRUARY, 1916.] [ *Rai Sita Nath Ray Bahadur; Sir C. Sankaran Nair; Sir William Clark; Sir Reginald Craddock* ]

(2) If the answer be in the affirmative, will the Government be pleased to state whether they intend—

(a) to publish the correspondence on the subject and the papers relating thereto, and

(b) to undertake any legislation for the prevention of adulteration of food-stuffs ? ”

**The Hon'ble Sir C. Sankaran Nair** replied :—

(1) “The replies of Local Governments have been received and are under consideration.

(2) The Government of India are unable at present to state their intentions regarding the matters referred to in (a) and (b) of the Hon'ble Member's second question.”

### THE INDIAN PORTS (AMENDMENT) BILL.

**The Hon'ble Sir William Clark** :—“ My Lord, I beg to move that the Bill further to amend the Indian Ports Act, 1908, be referred to a Select Committee, consisting of the Hon'ble Mr. G.R. Lowndes, the Hon'ble Sir Fazulbhoj Currimbhoy, the Hon'ble Rai Sitanath Ray Bahadur, the Hon'ble Major-General B. Holloway, the Hon'ble Mr. C. E. Low, the Hon'ble Mr. T. W. Birkett, the Hon'ble Mr. F. H. Stewart, the Hon'ble Mr. A. P. Muddiman, the Hon'ble Mr. L. Davidson, and myself.”

The motion was put and agreed to.

### THE INDIAN TRUSTS (AMENDMENT) BILL.

**The Hon'ble Sir Reginald Craddock** :—“ My Lord, I beg to move that the Bill further to amend the Indian Trusts Act, 1882, be taken into consideration.

“The Bill has met with no opposition at all, and in regard to it, I have nothing to add to the explanation of its scope contained in the Statement of Objects and Reasons, and to the remarks that I made when I introduced the Bill last September.

“A few suggestions have been received from some or other of the authorities consulted, and have been carefully considered by the Government of India, but their conclusion has been that none of these suggestions are suitable for inclusion in the present Bill, either because the objects they are intended to serve are already sufficiently provided for by the existing Act, or because they fall outside the scope of the present Bill, though they might be relevant if the amendment of the Bill on wider lines were to be undertaken, or else because the further enlargement of trustee stock suggested would require further detailed examination at the hands of the numerous authorities interested in such matters, which would entail unnecessary delay in securing the particular amendments which the Bill is framed to secure. Among these suggestions I may note some of the more important

“It has been suggested, for example, that power should be taken to enable trustees to invest in debentures or other security issued by or on behalf of District Boards, and a similar suggestion has been made to add to the trustee's stock the stock shares and securities of any railway company, the interest of which is guaranteed by a Native State. The former proposal is supported by the Madras Government, but in neither case could the acceptance of these proposals be made off-hand without a further reference to all those who would have to be consulted. It might very well be that objections to so wide an extension may be raised. The reference related to the specific proposals made in the Bill, and it was never intended to invite suggestions for further additions to trustee's stock which must inevitably require very close examination.

111 INDIAN TRUSTS (AMENDMENT) BILL ; DEFENCE OF INDIA  
(AMENDMENT) BILL.

[*Sir Reginald Craddock ; Sir William Clark ;* [ 15TH FEBRUARY, 1916.]  
*The President.*]

“Another suggestion was made that the proviso to section 20 of the existing Act should be reproduced in respect of the new section 20-A. This proviso requires the consent of the beneficiary of the trust (when he is competent to contract) in respect to certain classes of investments, but in respect of other classes of investments, this consent is not necessary, and the additions which the Bill makes to trustee's stock will in any case be covered by the proviso to section 20 of the Act, according as the new stock falls or does not fall into the category of investments which require or do not require the consent of the beneficiary of the trust.

“Again, it has been suggested that power should be taken for the trustee to vary his investment. But the Act has been working for some 33 years, and no obstacle to a trustee varying investments has come to light.

“Another suggestion made is that, instead of the prescriptions contained in the proviso to section 20, a sliding scale should be fixed having reference to the rate of interest and the number of years the security has to run. But the proposed new section follows exactly the corresponding provision in the English Trustee Act, and the proposal would appear to entail the adoption of restrictions which it might be difficult to enforce in practice.

“The suggestions made on this occasion will remain on record for future consideration if the further amendment of the Act should at any time be taken up, but so far as the present Bill is concerned, they fall outside its scope, and none of them are such as to necessitate any modifications in the text of the Bill as introduced in Council. It is not considered necessary, therefore, to refer the measure to a Select Committee, and I accordingly move that the Bill be taken into consideration.”

The motion was put and agreed to.

**The Hon'ble Sir Reginald Craddock :—**“My Lord, I now beg to move that the Bill be passed.”

The motion was put and agreed to.

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**THE DEFENCE OF INDIA (AMENDMENT) BILL.**

**The Hon'ble Sir William Clark :—**“My Lord, I beg to move for leave to introduce a Bill to amend the Defence of India (Criminal Law Amendment) Act, 1915.

“Following the precedent of last year, we propose to incorporate in a legislative measure an Ordinance passed when Council was not sitting. The Bill when it becomes an Act will only have duration for the period of the war and six months thereafter. The origin of this particular Ordinance was the desire of Government to stimulate the production of wolfram which was required in the United Kingdom for the purposes of the war. At the same time certain other commercial matters were dealt with. I beg to move for leave to introduce the Bill.”

The motion was put and agreed to.

**The Hon'ble Sir William Clark :—**“My Lord, I introduce the Bill, and I move Your Excellency to suspend the Rules of Business to admit of the Bill being taken into consideration. The same procedure was followed in similar cases last year.”

**His Excellency the President :—**“I suspend the Rules of Business.”

**The Hon'ble Sir William Clark :—**“My Lord, I move that the Bill be taken into consideration.”

The motion was put and agreed to.

DEFENCE OF INDIA (AMENDMENT) BILL; INDIAN MEDICAL 112  
(BOGUS DEGREES) BILL.

[15TH FEBRUARY, 1916.] [ *Sir William Clark; Sir Pardey Lukis.* ]

**The Hon'ble Sir William Clark :—**“ My Lord, I move that the Bill be passed ”

The motion was put and agreed to.

**THE INDIAN MEDICAL (BOGUS DEGREES) BILL.**

**The Hon'ble Sir Pardey Lukis :—**“ My Lord, before formally moving that the Bill, which is in my charge, should be referred to a Select Committee, I should like to express my satisfaction that the replies received from the authorities consulted show such a very large consensus of opinion in favour of the principle of the Bill on the part of the educated community, both European and Indian, whether they be doctors or laymen, and I would specially draw attention to the views of that very influential and representative body, the Bombay Medical Union, which includes all the most eminent and independent practitioners in Western India. With very few exceptions the criticisms received have been levelled merely at details. These criticisms will receive most careful and sympathetic attention on the part of the Select Committee, upon which we propose to place the Hon'ble Dr. M. N. Banerjee, Chairman of one of the institutions concerned, in order that the views of the authorities of the independent medical colleges may be fully represented. That being so, it is unnecessary that I should deal with matters of detail at this stage, but, with Your Excellency's permission, I wish to say a few words as regards the general object served by this Bill, about which many misconceptions have arisen. Briefly stated, the object of the Bill (which I may remark in passing will apply to all medical schools, whether Government or independent) is that no teaching institution shall examine its own students, but that it shall conform to certain definite standards, shall submit to outside inspection, and shall affiliate itself to one or more of the sanctioned examining bodies. The authorities of the schools in question will be able then to seek three different grades of affiliation, namely, to the Licentiatehip or Membership of the State examining body, the former corresponding to the diploma of the Sub-Assistant Surgeon, and the latter to the old L. M. & S., or they may affiliate to a recognised University for the higher degrees of M.B., or M.D. The real object of this Bill, therefore, is to improve the status of the independent medical colleges—not to destroy them—and I am surprised that anyone, who knows my views as regards the importance of improving the position of the independent practitioner, or who is aware of the keen interest I take in the development of independent medical colleges, should attribute to me the wish to injure the one or suppress the other. In this connection, may I refer Hon'ble Members to my speech in Council on March the 17th, 1911, when I said :—

‘ In Calcutta alone, there is ample room for properly staffed and well-equipped un-official medical colleges and schools which may be either affiliated to the University, or run on the same lines as a Government medical school, but entirely conducted by Indian medical men, and I look forward to the day when in every important town of the Indian Empire we shall have a well-equipped non-official medical college, staffed entirely by Indians, and working in friendly rivalry with the Government medical college ; each institution striving its hardest to show the best results at the University examinations, and I earnestly hope that, before I say farewell to India, I may see this an accomplished fact—at any rate in Calcutta and Bombay.’

“ My Lord, I still hope to see this dream fulfilled. On the 7th of last month, the College of Physicians and Surgeons of Bengal was granted by the Senate of the University of Calcutta provisional affiliation up to the Preliminary Scientific standard for the M.B. degree, and I am proud to think that I was able to play a part in the securing of this desirable result. I hope also that, ere long, it may be possible to affiliate one of the other independent colleges in Calcutta to the State Medical Faculty of Bengal. Meanwhile, Bombay has received a munificent offer of twelve lakhs of rupees from the Trustees of Mr. Gordhandass Sunderdass for the foundation of a second medical college in that city, to be staffed by Indians not in Government service,

*Sir Pardey Lukis; Mr. Surendra Nath Banerjee; The President.* [15TH FEBRUARY, 1916.]

and to be affiliated to the Bombay University. I trust most sincerely that it may be possible to utilise this very generous gift, and that the example of its donor may stimulate the rich and charitable nobility and zemindars of Bengal to come forward with the money which is required in order to place upon a sound footing the independent medical colleges in Calcutta, to one of which the Government of India has sanctioned a grant of five lakhs non-recurring and Rs. 50,000 recurring on certain conditions which will, I trust, shortly be fulfilled.

"With these remarks, my Lord, I now move that the Bill to prevent the grant to unqualified persons of titles implying qualifications in western medical science, and the assumption and use by such persons of such titles, be referred to a Select Committee, consisting of the Hon'ble Sir Reginald Craddock, the Hon'ble Mr. G. R. Lowndes, the Hon'ble Mr. Chakravarti Vijiaraghavachariar, the Hon'ble Rai Ghanasyam Barua Bahadur, the Hon'ble Raja Saiyid Abu Jafar, the Hon'ble Mr. J. Walker, the Hon'ble Mr. L. Davidson, the Hon'ble Dr. M. N. Banerjee, and myself."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"My Lord, there are some of us who would like to speak on this Bill if we may."

**His Excellency the President:**—"Certainly."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"My Lord, I regret to say that I feel it my duty to oppose the motion. In doing so, I dissociate myself from those who believe that the Bill is aimed at private medical institutions; the Hon'ble Mover has made an emphatic disavowal in that respect, the disavowal was unnecessary. The Hon'ble Mover has been a staunch friend of the Indian medical practitioner throughout his official career. If to-day the difficulties which surrounded the question of raising the status of the Belgatchia Medical School, the foremost private medical school in Bengal, have been removed, the fact is largely due to the initiative and the disinterested efforts of Sir Pardey Lukis, and Bengal, let me say this most emphatically, will gratefully cherish the memory of his services in this connection. All the same, my Lord, I think the Bill is somewhat premature; my Lord, it is contentious, and being contentious, in accordance with the principle laid down by Your Excellency, it ought to be kept out of this Council for discussion during war time; that it is contentious and controversial is evident from a perusal of the papers which have been circulated; I need not refer to them at any length in this Council; they are in the hands of Hon'ble Members.

"My Lord, the Bill is condemned by Indian public opinion. As I came into this room I received a telegram which says that protest meetings against this Bill have been held at Madras, Nagpur and Calcutta. I am familiar with the meeting that was held at Calcutta. It was presided over by the Hon'ble Mr. B. Chakravarti, one of the most distinguished leaders of the Calcutta Bar. It was influentially and numerously attended, and it recommended the withdrawal of the Bill. My Lord, the Bengal Medical Association—I think my Hon'ble friend the Mover is acquainted with that Association—the President of which is Dr. S. P. Sarbadhikari, the organizer of the Bengal Ambulance Corps, and the Secretary is Dr. Mrigendra Lall Mitra, a distinguished medical practitioner, have recorded their protest against the Bill. They suggest substantial modifications, if not altogether the withdrawal of the Bill. The Bill was circulated among some of the non-official members of the Punjab Legislative Council, and the consensus of opinion of those members is against the Bill. I find one Muhammadan member recording a strong opinion against it. A Medical Association in the Punjab is also opposed to the Bill. Therefore, my Lord, I am entitled to hold that the Bill runs counter to the distinct expression of Indian public opinion. That being so, I appeal to Your Excellency to follow the wise guidance which Your Excellency has given to this Council, namely, that there should be always a deferential attitude towards the

[15TH FEBRUARY, 1916.]

[*Mr. Surendra Nath Banerjee ; Maharaja Sir Manindra Chandra Nandi of Kasimbazar.*]

reasonable expression of Indian public opinion. Judged by that test I submit that the Bill should be withdrawn. My Lord, nobody apparently wants this Bill. The medical profession do not want it, the Universities do not want it, and as for the community, they certainly do not want it. I venture to think that the community will suffer if the Bill becomes law. Let us analyse the situation for a moment. I am speaking of Bengal, because my experience of these matters does not extend beyond my own province. There are three classes of medical practitioners who minister to the medical needs of the community. They are, first, the qualified graduates from the Government institutions, secondly, the graduates from the private medical schools, and lastly, the out-and-out quacks. Now, my Lord, if this Bill becomes law, the second class of practitioners are bound to disappear in course of time, and what would be the result? The reign of the out-and-out quacks would be thoroughly and firmly established. What is the situation in Bengal at the present moment? We have a population of 45 millions according to the last Census. I think the number of qualified graduates in the Surgeon-General's list is 2,500. Making a simple mathematical calculation, it will be found that we have about a single qualified medical man to 20,000 persons. Will anybody in his senses say that this is sufficient? I say that the situation is intolerable having regard to our needs and to the way in which those needs are met. Therefore, my Lord, it comes to this: that if this Bill comes into operation, and the partially qualified medical practitioners who pass out of the private medical schools disappear, the community will have to depend wholly upon the quacks. I hope that that is a situation which Your Excellency's Government will not countenance.

"Lastly, I come to the case of the students. My Lord, I am in close touch with the student community of Bengal. I meet them every day, and I have the deepest sympathy for them and their aspirations, and the deepest regret for their failings, whatever they may be. Now, my Lord, there are hundreds of students every year who are barred out of the Government medical institutions; barred out, not deliberately, but because there is no room, no accommodation, no arrangement for their teaching, and these have to seek admission into the private medical schools. Now, if these schools disappear, where will they go to? They will not be qualified in any way, the little service which they are able to render to the community they will not be in a position to render; the community will suffer, and these young men will swell the ranks of the idle and the discontented. Now I ask, is that a situation which is fair to these young men, or one which a responsible Government can contemplate with complacency and especially in these times?"

"Therefore, my Lord, on all these grounds, with very great regret, I deem it my duty to oppose the motion."

**The Hon'ble Maharaja Sir Manindra Chandra Nandi of Kasimbazar :—**"My Lord, I regret I am unable to support the motion that this Bill be referred to a Select Committee. It seems to me that there is no occasion for the introduction or passing of such a measure. It is admitted that certain ancient forms of the art of healing, which were in existence before modern western science came into being, have done a great deal to relieve human suffering, and cannot be suppressed by law. The Bill before the Council proposes to prevent the grant to unqualified persons of titles implying qualifications in western medical science, and the assumption and use by such persons. I do not for a moment question the excellence of the Hon'ble Sir Pardey Lukis' motive in introducing this Bill, but I should like to point out that, in the institutions under reference, teaching of a sort in western medical science is imparted, and the persons taught in these institutions help to an appreciable extent the alleviation of human suffering, especially in India where the supply of qualified medical men is by no means equal to the demand. Public opinion almost throughout the country is opposed to this measure. As there is scarcely any room for doubt that the Bill before the Council is contentious, I pray Your Excellency will be pleased to permit it to be held in abeyance, if it is considered inexpedient that it should be withdrawn."

[ *Rai Sitanath Ray Bahadur ; Maharaja Ranajit Sinha of Nashipur.* ] [ 15TH FEBRUARY, 1916.]

**The Hon'ble Rai Sitanath Ray Bahadur :—**“ My Lord, while admitting the soundness of the principles underlying the Bill before us, I am sorry that, in view of the vehement opposition which has been aroused in Calcutta and elsewhere by the Bill in question, and which threatens the extinction of the few private colleges giving instructions in the western system of medicine, I should be forced to oppose the reference of this Bill to a Select Committee, for it is undoubtedly, as is evident now, a controversial measure, and it has always been, since the war broke out, the avowed policy of Your Excellency's Government not to take up any measure which, in the least, partakes of a controversial character. Moreover, in view of the fact that the population of India is about 316 millions, whereas the number of qualified doctors, brought up under the western system of medicine, is about a few thousands only, and considering that the disproportion between the demand and supply is so woefully glaring, is palpably so large, it is a matter of surprise that the Government, instead of enlarging the scope of the western system of medicine by giving all kinds of encouragement, specially pecuniary help, to some of the private colleges, one or two of which are undoubtedly doing lots of good work both by giving medical relief daily to hundreds of indoor and outdoor patients, as well as by giving instructions to several hundreds of young men, should do anything which would go to paralyse those institutions, and which would ultimately lead to their utter extinction. I am well aware and for that we are deeply thankful to Government for having been kind enough to promise liberal and substantial help, both recurring and non-recurring, to the Belgatchia Medical College. But, my Lord, Bengal with its teeming population of 50 millions, can boast only of one fully equipped medical college and two medical schools and another prospective medical college at Belgatchia; are they sufficient enough to provide medical practitioners for the requirements of the several millions of people who live in the interior?

“ From all points of view, it must be admitted that the Bill, notwithstanding its evidently good intentions, is a little too premature. I, therefore, earnestly pray that the further consideration of this Bill may be postponed for the present.”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur :—**“ My Lord, the object of the Bill, as explained in the Statement of Objects and Reasons, is to prevent the use of bogus titles; so far I quite agree with the Hon'ble the Director-General that this practice should be discontinued. But the Bill has gone further, it says that no institution shall be entitled even to grant a certificate that the students of that institution have been qualified in medicine or surgery. If this Bill be passed into law, I am afraid the private institutions will cease to exist, and instead of encouraging private enterprise, practically they will be hampered. There are very few medical schools and colleges in the whole of the Empire, and they cannot meet the needs of the country. In Bengal, my Lord, I have personal experience that the Medical College cannot admit all the students, who are desirous of prosecuting their studies in medical science, for want of sufficient accommodation, and if these private institutions be closed—and I am afraid they must be closed if this Bill be passed into law—then the result will be, as my friend on the right has said, that these students will pass their days idly and will be a discontented class.

“ Further, my Lord, we find that the needs of the country do not require very skilled doctors in every case, and these half-qualified persons, who are turned out from private institutions, will be able to cope with ordinary cases, and if they do not exist the number of quacks will be rampant, and I am sure the object of the Bill is not that quacks should flourish.

“ My Lord, I also appeal to Your Excellency that at this time of war such a controversial measure should not be taken into consideration, and we appeal to Your Excellency that, for the present, the Bill may be held in abeyance.”

[ 15TH FEBRUARY, 1916.]

[ *Mr. Abbott ; Mr. Rayaningar ; Mr. C. Vijiaraghavachariar. ]*

**The Hon'ble Mr. Abbott :—**“ My Lord, I beg to support the Bill. I consider it most urgently necessary ”

**The Hon'ble Mr. Rayaningar :—**“ My Lord, I cannot support the motion, and in not doing so I do not wish to enter into the details of the policy of the Bill. I take into consideration the fact that the Bill is of a contentious nature and object to the motion. Your Lordship almost made it a rule to avoid the introduction of contentious measures while the war is on, and the non-official members have been loyally supporting that rule. My Lord, the Medical (Bogus Degrees) Bill has been the subject-matter of great controversy. In my own Province of Madras, it has not had a good reception. There the unfortunate Dr Krishnaswami Iyer's incident is still fresh in the memory of the people, and therefore the Bill will not receive the reception which it merits. I do not think the present is the proper time for the further consideration of the Bill. I therefore appeal to the Council to postpone it to some date after the conclusion of the war ”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ My Lord, I believe I understand the Bill and I labour under no misconception I should think. The object of the Bill, as I understand it, is to diminish false pretences by persons who bear certain medical titles, either bestowed on them by certain selected institutions, or altogether falsely assumed by them. That is how I understand the Bill. Now, as regards its object, there can be no two opinions: it is in the highest degree laudable. But let us see what is the scope of the Bill. The scope of the Bill requires that these titles should be bestowed on them by certain recognised institutions which are now scheduled herein or shall be hereafter named by the Governor General in Council. It is confined to British India. It thus leaves severely alone the titles bestowed upon Indians by foreign institutions. As I understand it, this Bill cannot and does not intend to affect those titles. Taking therefore the scope of the Bill, it restrains the issue of titles only as regards institutions existing in India, and yet not scheduled or recognised by the Government of India. The most important question therefore is, what is the grievance, what is the evil against which this law is proposed as a remedy? There is not a scrap of paper containing evidence that any sick person or wounded person, or anybody having the care of such, was ever deceived by persons bearing these titles. I in vain searched for any such evidence through the voluminous quantity of papers placed at our disposal, and it has not been stated in the speech made by the Hon'ble and learned member in charge of the Bill that there was any evil arising in that way. No doubt it might be assumed *a priori* that certain people are, and would be, deceived, but, on the other hand, we find in one and the same place where the two sets of graduates are available, namely, those from Government institutions and those also from private institutions, people resort in much larger numbers to the graduates from private institutions because they are cheaper. Considering they are cheaper, people most naturally would ask the question, who are these people and why are they cheaper? How is it 'A,' M.D., charges Rs. 5 a visit, while 'B,' M.D., charges Rs. 15 for a visit? Clearly therefore people do inquire and judge of the qualifications and fitness of the two sets of people with these similar degrees, and I do not therefore subscribe to the *a priori* argument that these people bearing titles from private institutions practise any deception on the sick and wounded population, or those who have the care of the sick and wounded population. Therefore, there is absolutely no evidence of any evil against which this measure is proposed as a remedy, and if there is no evil, I cannot understand the urgency of it either. Therefore, I am obliged to associate myself with the Hon'ble members who believe, not that this measure is a premature one, but that it is altogether uncalled for. At the same time, I desire to say that, if it is yet deemed to be an important measure, I think it is a fit measure to be left as a legacy by the Hon'ble and learned member to his successor who might bring it up as a *post bellum* measure, and it might then be more calmly discussed after evidence taken of the evil really existing. With these few words, I am obliged to say I oppose the motion before the Council. ”

117 INDIAN MEDICAL (BOGUS DEGREES) BILL ; RESOLUTION  
*Re* PREVENTION OF MALARIA.

[*Sir Pardey Lukis ; Mr. Surendranath Banerjee.*] [15TH FEBRUARY, 1916.]

**The Hon'ble Sir Pardey Lukis :—**“ My Lord, I have listened very carefully to the remarks made by the Hon'ble members, but I am not convinced that they have established their case, at any rate so far as the principle of the Bill is concerned, and this, it must be remembered, is the only point now before the Council, the motion being merely one for reference to Select Committee. I do not think that anything has been said to show that this Bill is premature.

“ On the contrary, I feel very strongly that the longer the Bill is postponed, the greater will be the vested interests opposed to it, and the more difficult will it be to cope with them. Nor can I admit that the Bill is contentious or that there is any strong feeling against it, either on the part of the medical profession or of the public ; and I should like to point out that the Hon'ble member who is here to represent the interests of the independent medical colleges has not uttered a single word against the general principle of the Bill, nor has he opposed its reference to Select Committee. As regards the pathetic plea put forward by the Hon'ble Mr. Banerjee on behalf of all those students whom he fears will be thrown out of employment, thus becoming useless members of the community, I think I made it fairly clear in my opening speech that we have no desire whatever to deprive these students of employment. What we want is to see that they are properly taught. Similarly, we do not wish to restrict the supply of qualified medical men : we wish to ensure that medical men are properly qualified and fit to carry out western medicine, as now recognised. I pointed out in my speech that the independent medical colleges will be able to affiliate up to three different standards, the lowest being equivalent to that required of the Sub-Assistant Surgeon, or as he used to be called, the Hospital Assistant ; and I maintain very strongly that it is not safe to permit any man to practise western medicine unless he comes up to this minimum standard, especially in these days when the medical man has to deal with such important methods of treatment as that by Salvarsan, Tuberculin, intravenous injections of antimonial and arsenical preparations, and all the various forms of vaccine and serumtherapy as now practised. I hold that if a man is unable to qualify up to the standard of a Hospital Assistant, he ought not to be permitted to practise western medicine, but should be content to confine himself to the simpler methods of treatment adopted by the *baids* and *hakims*.

“ The point regarding foreign bogus titles, alluded to by my Hon'ble friend opposite, will be carefully considered in Select Committee, where there will be ample opportunities for discussion of all criticisms and amendments, and I may state that the course pursued as regards the future of this Bill will depend upon the conclusions there arrived at.”

The motion was put and agreed to.

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**RESOLUTION *RE* PREVENTION OF MALARIA.**

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ My Lord, I have the honour to move the Resolution which stands against my name. The terms of the Resolution are these :—

‘ That this Council recommends to the Governor General in Council (a) to instruct the Provincial Governments to take vigorous measures for the prevention of Malaria, and (b) to publish an annual statement showing the progress made by each Province in this matter.’

“ My Lord, I confess to a sense of personal concern in the question to which this Resolution relates. I come from a Province which may be said to be the home of malaria. It would be no exaggeration to say that some of the fairest parts of my loved Province have been decimated by this terrible scourge. There are districts in which the death-rate exceeds the birth-rate, owing to the prevalence of malaria. My Lord, I live in a village in Bengal. I have with my own eyes seen villages, once the abode of health, happiness

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and plenty, now a crumbling mass of dilapidated structures, overgrown with jungle, with a solitary inhabitant here and there, pale and anæmic, suffering from malarial fever, but resolutely clinging to the ancestral homestead, as if mounting guard over the sweet reminiscences of the past. Some of our healthiest districts have suffered grievously from malaria. Birbhum is a well-known district in Bengal. At one time it was a health resort; it used to be so within my recollection. To-day the health-conditions of the place have completely changed. The Sanitary Commissioner of Bengal, in his Report for 1914, says that it tops the grim list of recorded mortality arising from malarial fever in the whole province. Take another district, the district of Nadia. It is a place of renown in our religious and social history. It is the birthplace of Chaitanya, the great founder of Vishnuism, the home of Raghunandan, the most illustrious jurist that Bengal has ever produced. At one time it was a health resort. Tradition says that Warren Hastings, the first Governor General of Bengal, built a house there which he used to visit for health and change. To-day, my Lord, it is a plague spot, malarial fever counting its victims by thousands and tens of thousands. I could quote other instances, but they are unnecessary; let us look at the figures bearing on the point. The Government of India in their Resolution, dated the 23rd of May, 1914, say that—

‘in many parts of India malaria is a far greater scourge than either cholera or plague.’

Here are the figures which amply prove the dictum of the Government of India. In Bengal, the mortality from fever for 1912 was 959,000 in round numbers; for 1913, it was 965,000, a slight increase; for 1914, 1,061,000, a steady increase. I have not got the figures for 1915, but I put a question in the Bengal Legislative Council, and I elicited this fact that the mortality from fever for the ten months of 1915 showed an increase in the death-rate. My Lord, we have therefore got this fact that, since 1912, the mortality from fever in Bengal has been steadily rising, and in 1914, it jumped to the figure of ten lakhs, and possibly in 1915 it will be worse. My Lord, let us take the average. The average of five years from 1908 to 1912 for Bengal is 927,000; the average of five years from 1909 to 1913—I take one year later—is 931,000. Here again there is an increase in the mortality.

“My Lord, I think it is only right and proper that I should pause for a moment to offer an explanation. The figures which I have quoted are the figures of mortality from fever of all kinds. We have not got a distinct head to show the mortality from malaria. That is unfortunate. I desire to call the attention of the Hon’ble Member in charge of the Department, and to request that there should be a special head showing the rate of mortality from malaria. But, my Lord, we are not left altogether in the dark as to the fact that malaria is principally responsible for these large figures, for the Sanitary Commissioner of Bengal in his report for 1914, while discussing the high death-rate of that year, lays special stress upon the prevalence of malaria, leaving the impression on the mind of the reader that malaria is responsible for this appalling death-rate. But this may be a surmise. The matter, however, is cleared up in a general way by the Government of India. In the observations which the Government of India make in their Resolution dated the 23rd May, 1914, they say—

‘malaria kills, maims, causes more sickness, more misery, more deaths than any other disease in India.’

Therefore, my Lord, we have this plain fact admitted by the Government of India, that malaria is the greatest scourge that decimates the people of India, and nowhere is it more terribly felt than in the unfortunate province to which I have the honour to belong.

“My Lord, we now come to the United Provinces and the Punjab. But before I deal with them, I have an observation to make. Wherever there is a rise in the death-rate it is accompanied by a rise in the birth-rate—that is the beneficent ordering of nature. If it were otherwise, depopulation would follow. But, my Lord, in Bengal this wholesome law of nature is reversed or, at any rate, suspended. Let me quote the figures of the birth-rates and the death-rates for Bengal. I take the figures for 1912, 1913 and 1914. The

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birth-rate in 1912 was 35·30 per mille; in 1913, it was 33·75; and in 1914, 33·22. Therefore, Your Excellency will observe that there is a decrease in the birth-rate between 1912 and 1914. But there is a serious rise in the death-rate for the same period. Here are the figures. The death-rate for 1912 was 29·77; for 1913, 29·38; for 1914, 30·97. We have thus with an increasing death-rate, a decreasing birth-rate for the period to which I have referred.

“My Lord, in the United Provinces and the Punjab, we find a similar state of things. The death-rate for fever in the Punjab was in 1912, 14·22, and in 1913, it was 17·15. In the United Provinces, the death-rate for fever was 20·66 in 1912, and in 1913, it was 23·88. My Lord, I will quote the remarks of the Government of India in this connection. In his report for 1913—I have not been able to get any more recent report than that for 1913—the Sanitary Commissioner says—

‘To fever is ascribable yet again more than half the total mortality of India.’

“My Lord, malaria is spreading in Bihar. It has spread in the district of Shahabad. At present Bombay and Madras and the Central Provinces are comparatively immune. God grant that that immunity may long continue, but no one knows. The disease has a tendency to spread, and I venture to submit that it is only right and proper for the Government to take steps that will eradicate the disease or, at any rate, seriously curtail its area.

“But, my Lord, the loss of human life does not alone represent the sum total of the suffering and misery inflicted on the people by malaria. For one man who dies of malaria at least ten suffer from it—though they do not die of it. They carry on a lingering existence hovering between life and death, to whom death in many cases would be a relief. My Lord, the Government also suffers seriously and from a military point of view in consequence of the prevalence of malaria. The report of the Sanitary Commissioner with the Government of India for 1913 says—

‘Malaria continues to be the dominating factor of inefficiency in European troops in India.’

That is the deliberate opinion of the Sanitary Commissioner with the Government of India in the year 1913. And, my Lord, the indirect consequences are very serious. Let me give an illustration. There is a great factory for producing munitions of war at Ichapur. I happen to know something about that factory, because I live close to it. The Factory employs 3,000 men a day. Six weeks ago 1,000 men, representing one-third of the total number of workmen, were absent owing to the prevalence of malaria. The Superintendent of another Factory near Calcutta said that one-half of his men were absent in the malarial season owing to the prevalence of malaria. My Lord, it seems to me that this is a state of things which deserves the most serious consideration of the Government of India. What a wastage of energy and loss of national efficiency all this represents.

“Having regard to the terrible mortality arising from malaria and the wide area it covers, I think I am entitled to hold that it has become a grave national problem. And be it noted, that malaria is most prevalent among the poor. Like plague, it is the poor man’s disease, and has its roots largely in economic causes. A sanitary expert—a high official of Government whose name I am precluded from mentioning because I have not his authority for it—told me the other day that it is poverty, insufficient food, and insanitary surroundings which weaken the power of resistance and make people an easy prey to malaria. And what are the statistics on this subject? You find that malaria is most prevalent in rural areas where the vast millions of our people are gathered together. The Reports of Sanitary Commissioners, both of Bengal and of the Government of India, support this view. The Sanitary Commissioner for Bengal says in his report for 1913—

‘Out of 965,000 deaths registered from this cause during the year under report, 25,000 occurred in urban areas and the rest in rural areas.’

In 1914, we have the same report. The Sanitary Commissioner says—

‘The decrease in the mortality from this disease in urban areas that was noticed in that year’s report was well maintained during 1914, while in the year before the mortality was higher in the rural area.’

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And, my Lord, the Government of India says the same thing. The figures for 1913 supplied by the Sanitary Commissioner with the Government of India point to the same conclusion. In the rural area the death-rate from fever was 17·28 per mille; and in the urban area 10·35. Therefore, my Lord, I am entitled to hold that, in urging this matter for the consideration of Your Excellency's Government, I am pleading the poor man's cause.

"And, after all, my Lord, malaria is a preventible disease. It is not one of those scourges from which there is no escape, which we must submit to with all the fortitude and the patience that we can muster. Malaria has prevailed in other countries, and they have been freed from it by the adoption of proper sanitary measures. Malaria prevailed at one time in England. History tells us that James the First died of the tertian ague. Malaria prevailed in Italy, but the reclamation of the swamps and the adoption of the system known as *Bonificazione* have helped to eradicate the disease and free the people from its ravages. Mark the achievements of America in the Panama Canal and of Japan in Formosa. My Lord, I feel tempted to read an extract from an article which appeared in one of the newspapers regarding the work which Japan has done in Formosa in connection with the eradication of malaria—

'They set about doing this in a very business-like fashion. By way of experiment certain districts were selected, and on a certain day all the inhabitants were made to appear at an appointed time to have their blood examined microscopically with a view to finding out if they were malaria carriers. Those in whom the malaria parasites were found were placed under treatment for 30 days in order that the parasites may be exterminated. It is stated that altogether 376,621 persons were examined, of whom 10,000 were found to be carriers. It is stated that in two districts the mortality from malaria has been reduced to nothing, and in another district has been reduced from 11·60 to 3·39 per thousand. These results are noted after the system has been in operation for two years.'

"My Lord, am I to understand that our Government will confess to a failure in a work in which other Governments have been more successful? My Lord, our Government in normal times commands illimitable resources; its power of organisation is superb; its capacity to deal with difficult problems beyond all praise. But I confess that in this matter the Government has not done justice to itself. Of Conferences and Commissions we have had enough; but they have not been attended with adequate results. My Lord, I find in the Resolution of Government to which I have referred that six lakhs of rupees have been spent for the purpose of carrying out anti-malarial operations. I should like to ask the question: Have they contributed in any way to reduce the mortality from malarial fever? I hope my Hon'ble Friends opposite will be in a position to give me an answer upon that point.

"Secondly, Provincial Malarial Committees have been appointed. We have one in Bengal. My Lord, will this Council believe it that that Committee did not hold a single meeting last year? Will the Council believe it that that Committee does not publish an annual report? It deliberates in secret, discusses in secret, works in secret, if indeed it works at all. I can understand a Cabinet dealing with difficult diplomatic questions conducting its proceedings in this manner; but sanitation is not a question of diplomacy. If there is any matter in regard to which the co-operation of the public is essential, it is sanitation; and if you want the public to co-operate, you must take them into your confidence; and tell them what you have done and what you mean to do. You have a Malarial Committee for all India; it publishes a report every year. I do not understand why the Bengal Committee should enshroud its deliberations in an impenetrable veil of mystery. I hope a word of advice might be given to that Committee to be a little more alert, to be a little more communicative, to be a little more diligent in the discharge of those responsible duties with which it is entrusted. My Lord, amid the controversies that have taken place, with regard to malaria, there are two points about which there seems to be a common agreement, namely, that it is a class of mosquitoes which carry the disease, and that quinine is a prophylactic as well as a curative agent. The Government is doing a great deal for the purpose of distributing quinine. But what about the reclamation of those areas which are the breeding grounds of the malaria-carrying mosquitoes; and here the question of rural sanitation comes to the front. Rural sanitation is

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entrusted to the local bodies. My Lord, I wish to speak of them with the utmost possible respect, because I am myself a member of one of these bodies. But their means are limited. The Government has enormous resources, and it has expert knowledge and organisation at its disposal which the local bodies cannot command. I therefore submit with the utmost emphasis that Government should place themselves at the head of the sanitary movement, and initiate and carry out all large sanitary projects, such as drainage, water-supply, etcetera, the local bodies being required to co-operate in the application of the projects to the local areas. My Lord, the Sanitary Commissioner to the Government of the Punjab says that there are barrow pits along both sides of the railway lines. We find the same thing in Bengal and they generate malaria. Then there are the railway embankments which, faultily constructed, produce malaria. I would appeal to the President of the Railway Board to look to these things and do the needful in the interests of the public health. Then there are the silted-up rivers in Bengal which, according to Dr. Bentley, are a prolific cause of malaria. I submit it is the duty of the Government to look to the great water-courses in Bengal and elsewhere. My Lord, here no political considerations are involved. In this matter the community and the Government may heartily co-operate in a work than which nothing could be nobler, in the work of saving human life and alleviating human suffering. A Government that will give us the inestimable boon of health will raise for itself a monument more lasting than brass in the gratitude, the affections and the contentment of a happy and prosperous people. My Lord, we hear a great deal about unrest. Give us food, sufficient food, by helping our industries; give us health by eradicating malaria; satisfy the inner man by gratifying our legitimate aspirations, and the spectre of unrest with which the enemies of Indian advancement so often confront us will fade away into thin air like the baseless fabric of a vision. My Lord, in placing this Resolution before this Council, I plead for the millions of my countrymen, for those who earn their bread by the sweat of their brows; I plead for their health and happiness, and I am sure I do not plead in vain before Your Excellency and this Council."

**The Hon'ble Sir E. Maclagan :—**"My Lord, I may say at once that Government is prepared to accept the Resolution which the Hon'ble Member has brought forward. As he points out, the Resolution has two portions. In the first place, he asks us to instruct Provincial Governments to take measures for the prevention of malaria; and our attitude as regards that is that, if by issuing instructions to Provincial Governments, we can do anything, however small, to alleviate the scourge of malaria, it is our duty to meet his wishes in the matter. Then, his second point is, that he desires us to publish an annual statement showing the progress made by each province. There is already a statement in the reports that are published each year by the Sanitary Commissioners in the various provinces. But it may possibly be a convenience to have an annual report with details for the whole of India on the subject; and we propose to arrange with the Sanitary Commissioner with the Government of India that he should mention in his annual report briefly what has been done in the matter of dealing with malaria.

"There are, however, one or two considerations which I should like to mention in connection with this Resolution. In the first place, when we talk of the prevention of malaria, we must include in that the measures we take for investigating and inquiring into the subject of malaria, its causes and its possible remedies. The inquiry and the prevention of malaria are two portions of the same process, and it is a matter for discretion in each case as to where we are to leave the process of inquiry and proceed to that of actual measures affecting the people. We are, therefore, when urging Local Governments to take vigorous measures for prevention of malaria, at the same time urging them, where necessary, to make further inquiries into what is necessary to be done before the introduction of these measures.

"Another point to which I would invite attention is that the remedies which are applicable to malaria are not the same throughout the whole of India. That is to say, we find that malaria assumes different forms in different parts

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of India, and different remedies are necessary. In some parts of India it is epidemic and in others endemic. In some parts it is due to excess of water; in some parts we are told that it is due to want of water. In some parts of India there are remedies indicated which in others are absolutely impossible. The Government of India in their Resolution of 1914, to which the Hon'ble Member has referred, have indicated the general lines on which they think that the question of malaria should be dealt with. But it rests primarily with the Provincial Governments to decide what particular measures they will take in each case to deal with malaria in the provinces which are under their control.

"Then there is a further matter which must be obvious to most of us at the present time, and that is that Local Governments, like the Government of India, are, at present, hampered in the matter of staff and finance.

"I need not dilate further on this, but Hon'ble Members will understand that the action of Local Governments is at the present moment hampered by the limits placed on the finances at their disposal.

"The Hon'ble Member has given expression to one or two ideas which prevail about malaria, and about which I should like to say a word or two. In the first place, he has given expression to the view that malaria is increasing in India; I do not say he used those words, but he brought forward instances to show that it was increasing in certain provinces. There is no doubt whatever that in certain areas malaria has increased in the terrible way which the Hon'ble Member describes, but there are also fortunately other areas in which it has decreased; and from such data as are available,—and they are not as good as we could wish—from such data as are available we may say that there is nothing to justify us in saying definitely that malaria has increased in India during the last few years.

"He has also expressed the view, which I think prevails among many people, that Government has not done what it should in the matter of dealing with malaria. It is quite true that here and there in one area or another certain measures that should have been taken may not have been taken, but I would demur to any expression of the view that Government has been remiss in dealing with the question generally. I would like to point out a few of the administrative measures which Government has taken in connection with the matter. In the first place, in 1909, a Conference was convened by Lord Minto at which he himself presided on the subject of malaria. There have since been Conferences at Bombay, Madras and Lucknow dealing with the same subject. It is quite true, as the Hon'ble Member said, that these Conferences by themselves do not come to the same thing as active preventive measures, but they are of exceedingly great value, and if they have done nothing else they have served to concentrate the attention of Government on the directions in which we can best attack the trouble with which we are dealing. Then classes have been started for teaching scientific men how to deal with malaria, both in the field and in the laboratory. The Bureau to which the Hon'ble Member refers has been started at Kasauli; it gets together all the information that is available on the subject of malaria. We have also the Association for the Promotion of Indian Research started some years ago; and it has already spent some ten lakhs of rupees in inquiries on the subject of malaria. Then we have grants for sanitary purposes, and of recent years the greater part of these has been spent in dealing with measures against malaria. We also have those cesses which were handed over two years ago to the provinces of Northern India, a pretty considerable sum, and when handing them over the Government of India advised that the District Boards should use a substantial part of them for dealing with malaria and other kindred subjects. The Hon'ble Member asks what have been the results of this expenditure of money. I would merely say in that respect that we must give a little time for the results to be shown. The prevalence of malaria varies from time to time, and we must have a little time to see what the ultimate results may be as shown in statistical data. Each province has started a Malaria Committee, that is to say, we have in each province a body whose main duty it is to look into the prevention of malaria. I won't say that in every province it has fulfilled its duties as it should, but in every province there is now a body from whom advice can be got, which can be consulted

[*Sir E. MacLagan; Mr. Surendra Nath Banerjee.*] [15TH FEBRUARY, 1916.]

and to whom suggestions may be made as to the means for dealing with malaria. These bodies have got an executive officer, in some cases the Chief Malaria Officer, in others officers on special duty who have written reports which are accessible to the public as regards the prevalence of malaria in certain areas. Government, as the Hon'ble Member has mentioned, has taken a considerable amount of trouble in the distribution of quinine and arranged for supplies of the pure drug to be made to the public through the Post Office and by vendors, and by the useful agency of travelling dispensaries. I fancy that what has been done by the Local Governments is not as well known to the public and to Hon'ble Members as perhaps it should be. The Local Governments of certain provinces have issued pamphlets in which they have described the recent improvements in sanitary policy, and these little books, which are very short, give an excellent account of what has been done in sanitary matters, and more especially on the subject of malaria. Hon'ble Members interested in the subject could very well study these books, and if they study them, I think they will feel that Government has been alive to its responsibilities in the matter. This is not however a point that is really of much importance to decide in dealing with this Resolution. If we have hitherto been remiss, then it is incumbent on us to take the vigorous measures now asked for; if we have not been remiss, still we would be quite ready to accept the Resolution and to take these measures. In either case we are quite ready to accept the Resolution as it now stands before Council and as the Hon'ble Member has proposed it."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"My Lord, I am very grateful to the Government for accepting my Resolution. I quite admit that Conferences and discussions are necessary for proper and systematic effort, but the point that I tried to bring out was, that the amount of talk has been out of all proportion to the amount of work done, and another point which I want to urge is, that though the Government has been in earnest about the matter, their efforts so far have been spasmodic. I quite appreciate the difficulties of the task; difficulties there may be, but surely they are worthy of the humanity and beneficence of a great Government and are not beyond its resources.

"I would venture to recommend for favourable consideration the anti-malarial activities of Japan in Formosa; the formation of definite schemes with reference to a particular area and the prosecution of those schemes in a systematic way. That was the secret of the success of Japan in Formosa, and I would appeal to my Hon'ble Friend to try the experiment in selected areas in India. A definite plan applicable to a particular area and carried out with energy and in a business-like manner that is the real need of the situation.

"This however has never been tried, so far as I know. I hope and trust that the result of the debate will be that the Local Governments will be stimulated into more vigorous action in connection with a work than which nothing could be nobler or more humane. I am grateful to the Government for accepting my Resolution."

The Resolution was put and accepted.

The Council adjourned to Tuesday, the 22nd instant

A. P. MUDDIMAN,  
*Secretary to the Government of India,*  
*Legislative Department.*

DELHI :

*The 23rd February, 1916.*



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915.  
(5 & 6 Geo. V, Ch. 61).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Tuesday, the 22nd February, 1916.

PRESENT :

The Hon'ble SIR WILLIAM CLARK, K.C.S.I., C.M.G., *Vice-President, presiding*,  
and 48 Members, of whom 42 were Additional Members.

STATEMENT LAID ON THE TABLE.

**The Hon'ble Sir Reginald Craddock:**—"I beg to lay on the table a statement\* regarding Press prosecutions under the Press Act, 1910, and in regard to newspapers which have ceased publication or whose securities have been enhanced, since the outbreak of the war, in reply to a question asked by the Hon'ble Khan Bahadur Mir Asad Ali Khan on the 1st October, 1915.

QUESTIONS AND ANSWERS.

**The Hon'ble Maharaja Ranajit Sinha of Nashipur**  
asked :—

1. "(a) Will the Government be pleased to state if the price of food-stuffs is now generally higher than that of the corresponding period of the previous year? Rise in the price of food-stuffs.  
(b) Do the Government propose to take any steps with a view to restricting the export of rice?"

\* *Vide* Appendix A, page 152 *post*.

[ *Mr. Low ; Rai Sita Nath Ray Bahadur ;* [ 22ND FEBRUARY, 1916.]  
*Sir R. W. Gillan.* ]

**The Hon'ble Mr. Low** replied :—

“(a) I lay on the table a statement\* from which it will be seen that the prices of foodstuffs were not in the latter part of December 1915, the latest date for which figures for all India are available, generally higher than in the corresponding period of the preceding year. In many cases they were decidedly lower.

(b) The answer is in the negative. I may add that the price of rice in Calcutta has, it is understood, declined since the latter part of December last.”

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Proposed  
Commercial  
Conference  
in London in  
June 1916.

2. “(a) Has the attention of the Government been drawn to the following statement which appeared in ‘Capital’ (published in Calcutta) of the 28th January last :—

‘With a view to focussing the opinion of the commercial community in all parts of the Empire, the British Imperial Council of Commerce and Boards of Trade throughout the United Kingdom and British Dominions is convening a Conference in London in June next. A provisional programme has recently been circulated to the members for their consideration. It is expected that there will be a representative attendance of delegates from the Oversea Dominions and Dependencies, with which the Council is in constant consultation?’

(b) Has the Government of India, in its Commerce and Industry Department, received any intimation regarding the Conference referred to in (a) ?

(c) If so, will the Government be pleased to place before the Council the information it has received ?”

**The Hon'ble Mr. Low** replied :—

“(a) The reply is in the affirmative.

(b) and (c) The Government of India have received no such intimation.”

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Scheme for  
a direct  
Railway  
line from  
Calcutta  
to Barisal  
via Noapara  
or Khulna.

3. “(a) Will the Government be pleased to state what further progress since my previous question on the subject asked in Council on the 16th September, 1914, has been made in connection with the scheme for a direct Railway line from Calcutta to Barisal *via* Noapara or Khulna ?

(b) Is it in contemplation, in this scheme, to have a junction somewhere near the Gournadi Police-station in the District of Backerganj, with one branch going to Barisal and another going to a point near the present Jhapur Ghât steamer station ?

(c) If the answer to (b) is in the affirmative, does the scheme also contemplate that the branch going to Jhapur Ghât is to be connected by ferry steamer service with Chandpur (on the Assam-Bengal Railway System) on the other side of the Megna river ?

(d) If the answers to (b) and (c) are in the affirmative, does the scheme provide a route which will be shorter than the existing route connecting Calcutta with the Assam-Bengal Railway System ?”

**The Hon'ble Sir R. W. Gillan** replied :—

“(a) A detailed survey for a line of railway from Khulna *via* Gopalganj and Gournadi to Barisal with the branches mentioned in the reply to question (b) has been completed by the Eastern Bengal Railway. The views of the Government of Bengal are awaited.

(b) The scheme contemplates a junction at Gaila station, about 2½ miles west of Gournadi, from which point branches take off to Faridpur and Pingla-kati Ghât.

QUESTIONS AND ANSWERS; INDIAN PORTS (AMENDMENT) 126  
BILL, HINDU AND MUSSULMAN DISPOSITION OF  
PROPERTY BILL.

[ 22ND FEBRUARY, 1916. ]

[ *Sir R. W. Gillan; Rai Sita Nath Ray Bahadur; Major-General Holloway; Mr. Low; Mr. Setalvad* ]

(c) A branch line from a point near Madaripur or Burghatta on the Faridpur Branch to a terminus on the main Ganges River, some 12 miles from Chandpur, which would permit of a wagon ferry connection with the latter, has been mentioned as a possible future extension, but forms no part of the scheme as actually drawn up

(d) The scheme, together with the extension mentioned in the reply to question (c), if constructed, would provide a route shorter than the existing route connecting Calcutta with the Assam-Bengal Railway System."

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

4. "(1) Has the Government given any contracts to firms and individuals in India for the supply of provisions and other articles for the purposes of the present war?

(2) If the answer to (1) is in the affirmative, will the Government be pleased to state—

(a) the names of such firms and individuals, and

(b) the nature of the provisions and other articles which they are to supply ? "

Names of firms and individuals given contracts for supplying provisions, etc., in connection with the present war.

**The Hon'ble Major-General Holloway** replied :—

"Many contracts have been given in India for supplies of all sorts required in the present war. Under foodstuffs alone, contracts for at least sixty different articles have been made at various places, but these contracts are made locally, and it is not thought that the circumstances justify the trouble and delay of compiling a complete list of them."

## THE INDIAN PORTS (AMENDMENT) BILL.

**The Hon'ble Mr. Low**—"Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Ports Act, 1908"

## THE HINDU AND MUSSULMAN DISPOSITION OF PROPERTY BILL.

**The Hon'ble Mr. Setalvad** :—"Sir, I beg to introduce the Bill which stands in my name, and to move that it be referred to the Select Committee mentioned on the Agenda.

"The Bill proposes to remove certain disabilities under which Hindus and Mussulmans labour in regard to the disposition of their property, and Members must have noticed that it is merely an enabling Bill, a Bill that enables Hindus and Mussulmans to dispose of their property in favour of unborn persons, if they choose to do so. At present what the Courts have held about dispositions of property by Hindus and Mussulmans is this, that it is not competent to a Hindu or Mussulman to make a trust settlement in favour of persons not born; that it is also not competent to him to make any bequest by his will in favour of unborn persons, the effect being that, if a bequest is made by a will in favour of persons who are not in existence at the date of the death of the testator, from which date in the eye of the law the will speaks, those people are not competent to take it. The results of this administration of the law are obviously very inconvenient, unjust and unfair. I will illustrate what I mean by giving one or two instances. Take, for instance, a Hindu or Mussulman having one son and one grandson. By his will he wants to provide for his son and also for

his grandsons, not only the one grandson in existence at the time, but also for other grandsons that may be born to his son. If he, by his will, provides that his son should, for life, enjoy his property and that after the son's death all the grandsons in existence at the date of the death of the son should take the property ; and if it happens that at the death of the testator there is only one grandson in existence, but that at the date of the death of the son there are three more grandsons in existence, then the result is that the one grandson who was in existence at the date of the testator's death takes all the property to the entire exclusion of the other three grandsons born to that son. You will see, therefore, that the most cherished intention and desire of the testator, in these circumstances, are absolutely defeated. Many more instances can be given in which the same thing happens, and every lawyer must be conversant with cases coming up in the Courts every day where, in this manner, the most cherished intentions and desires of both settlors and testators are absolutely defeated.

“And because of this rule which denies to Hindus and Muhammadans the power of disposing of their property in favour of unborn persons, marriage settlements to provide for the issue of a Mussulman or a Hindu marriage are impossible.

“Now, the reason why the Courts have held that Mussulmans and Hindus are incompetent to make dispositions in favour of unborn persons is this, namely, that both according to Hindu and Muhammadan law it is considered essential that for the validity of a gift, there should be delivery of possession, and an unborn person is incompetent to accept a gift or to take delivery of possession. It is therefore that the Courts have held that it is not competent to a Hindu or Muhammadan to make any bequest or to make any settlement in favour of a person who is not competent to take possession.

“Sir, the reason of this rule, requiring transfer of possession as essential to the validity of a gift, has no religious origin—there is nothing of religion in it. The reason for it is not to be found in any precept of Hindu or Muhammadan law. In fact, there is nothing in the Koran about delivery of possession. This insistence on delivery of possession with regard to the validity of gifts is to be found in all archaic systems of law and among all nations in their early stages of development. If you go to the ancient German law, you find that a conveyance is inconceivable and impossible without what is called ‘livery of seisin.’ Under that law, an elaborate ceremony had to be gone through in order to effect this ‘livery of seisin.’ The donor and donee go to the land ; a knife is produced, a sod of turf is cut, the twig of a tree is broken off, and the donor then hands over the sod and the twig to the donee. The donor further hands over the knife with which he cuts the sod to the donee, who keeps it very carefully as material evidence of the transaction. Further, the donor takes off his hand the war-glove by which he is supposed to protect the land in battle and the donee puts it on : his hand is ‘vested’ or ‘invested’ with the land. The origin of the expression that ‘land is vested’ in a person, it is said, is to be traced to this ceremony. When under Roman influence writings came to be used, the signing or sealing was not the important thing, but the delivery of the parchment as symbol of the land was everything.

“In England, too, for several centuries delivery of possession was insisted on as an essential with regard to the validity of a conveyance or a gift, and we find the Courts in Bracton's time insisting on this delivery of possession being actual and real. The *donatio* by itself was nothing unless followed by *traditio*. But, Sir, all this has passed away as society developed and progressed, and in England all those archaic forms of delivery of possession have vanished. The same, Sir, would have happened with regard to Hindu and Muhammadan law in this country if their normal growth and development had not been arrested as it was (I shall presently show how) on the advent of British rule in India.

“By the Statute of 1781, being 21 Geo. III, Chapter 70, so far as Calcutta was concerned, the Hindu and Muhammadan personal law was assured to His Majesty's Indian subjects ; and the same was done in 1897

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by 37 Geo. III, Chapter 142, with regard to Bombay and Madras. Now these Statutes, enacted though they were with the beneficent object of preserving and securing to the people of India their ancient laws, have, in fact, had the effect of preventing their normal growth and development and not allowing them to adapt their systems to the needs of a progressive society. Hindu and Muhammadan law being thus assured to Indian subjects by those Statutes, the only source of that law was the ancient texts; and the Courts, in administering the Hindu and Muhammadan law, had to find that law in those ancient texts, and they administered the law rigidly as they found it in those texts. Sir, the result has been, that while, under the blessings of British rule, the Hindu and Muhammadan communities have progressed wonderfully in trade, in industries, in commerce and in acquisition of wealth, and while in matters of contract, evidence, etc., they have been given laws based on English law, their personal laws, affecting them most with regard to property, inheritance and succession, have failed to respond to the progressive needs of those societies. If, as I have said, the Hindu and Muhammadan laws had developed themselves normally, the present disability with which we are concerned in this Bill would certainly have disappeared. As I have shown, that disability works very serious injustice, and defeats the cherished intentions of many Hindus and many Muhammadans. That both communities have, for a long time past, wished to be liberated from this disability is, I submit, very clear from the fact that although, so far as Hindus are concerned, the Privy Council, as early as 1872, declared in the Tagore case this disability, you find hundreds of Hindus—and hundreds of Muhammadans, orthodox Shias and Sunnis—year after year, making wills and settlements in which they give property to unborn persons. And any lawyer in the land will be able to tell you that year after year hundreds of cases come before the Courts where these settlements and wills are produced and are declared invalid, so far as provision for unborn persons is concerned, thus defeating the most cherished desires of Hindu and Muhammadan testators and settlers. With regard to Muhammadans, I may point out that, so far as Shias are concerned, it has been held that it is open to them to create successive life estates; and Amir Ali, in his book on Muhammadan Law, points out that with regard to them it is doubtful whether a gift to an unborn person is invalid. He seems to think that such gifts are valid in their case. I am only pointing out this with a view to showing that, even according to the strict Muhammadan Law with regard to Shias, there are high authorities who maintain the opinion that there is no objection to their being allowed freedom in this respect. However that may be, I submit, Sir, that the real consciousness of those communities at the present day is in favour of the change I have advocated. There must be thousands of Hindus and Mussalmans who have property and who are most anxious in some manner to provide for their unborn progeny, and as the law stands at present they are effectually prevented from doing so. The whole object of the proposed legislation is to remove that disability.

“I may point out, Sir, that what is proposed by this Bill is not to enlarge in any manner the disposing power of a Hindu or a Muhammadan. *Ex hypothesi* the Bill only contemplates the removal of this disability in cases where otherwise there is a disposing power. What I mean is that it does not empower, or propose to empower any coparcener in a joint Hindu family to dispose of any property which it would otherwise not be competent to him to do. Equally, it does not propose to empower any Mussulman to will away his property to the extent of more than one-third. All that is contemplated is that within the present disposing power a Hindu or Muhammadan has, it shall be competent to him to exercise that power in favour of an unborn person which he is now prevented from doing. I may again emphasise the fact that this is merely an enabling Bill. If there are Hindus and Mussalmans who are of opinion that they should not and ought not to make any dispositions in favour of unborn persons, there is nothing in the Bill that compels them to do so. Any Hindu or Mussalman still holding the view that it is not right for him to dispose of property in favour of an unborn person need not do so. There is nothing in the Bill to compel him to do that; but

[ *Mr. Setalvad* ; *The Vice-President* ; *Mr. Dadabhoy.* ] [ 22ND FEBRUARY, 1916. ]

as regards those who do wish to do so, and that number is a very large one in the country, all that the Bill seeks is to remove a disability from those people and allow them to do what they want to do. As I have already pointed out, there is nothing religious about this insistence of delivery of possession; the Bill does not interfere in the least with any religious notions, and the real present-day consciousness of both the communities is against the present disability. All that the measure proposes to do is only to give legislative sanction to what the country and what the people, both Hindus and Mussalmans, have really wanted for a very very long time. I can say, Sir, how often in my professional career I have been consulted both by Hindus and Muhammadans, orthodox Hindus and Muhammadans, Shias and Sunnis, to show them any way by which they could get rid of this disability of making provision for unborn children and grand-children, and how disappointed they are when they are told that it was not possible under the law as it stood to do that; and my experience must also be the experience, I take it, of every lawyer in the land. Therefore, as I have submitted, all that I am seeking by this Bill to do is to place the Hindu and Mussalman communities on the same footing as the other communities in India, and leave them free,—they are not compelled by this Bill to do anything—if they so choose, to make provision for unborn persons, in favour of their children or grand-children or other relations who may be hereafter born. The Parsis and Christians have liberty to do so, let the Mussalmans and Hindus have the same liberty. Sir, I may refer to one noteworthy fact, *viz.*, that after this Bill had been published and the public became aware of it, it was reproduced at least in Bombay in all the daily English papers and in all the vernacular papers, and there has been not a note of dissent in the country with regard to it. If it had been felt as any measure which they did not want or which was against their views or cherished desires in the matter, that feeling would certainly by this time have found some expression in the public press; but as I have said not a note of dissent is sounded in any of the papers. As I have already pointed out, this Bill merely seeks to give legislative sanction to what both communities, Hindus and Mussalmans, have wanted for a long time. They will be relieved of this disability which, in practice, works very great injustice, and excludes from the enjoyment of property people whom testators and settlors intend to benefit, to their great disappointment. There may be questions of detail with regard to the provisions of the Bill which will have to be considered in Select Committee; and the actual form which the final legislation should take is a matter that will have to be threshed out in Select Committee.

“I see from the Agenda, Sir, that my Hon’ble and learned friend, Mr. Dadabhoy, has given notice of an amendment which in effect comes to this, that the Bill be not referred to Select Committee at this stage, but that further opinions be invited from the country.”

**The Hon’ble the Vice-President** :—“Order, Order. The Hon’ble Member can speak on the amendment when it is moved; he cannot discuss it before Mr. Dadabhoy has moved his amendment.”

**The Hon’ble Mr. Setalvad** :—“I then move that the Bill be referred to a Select Committee, consisting of the Hon’ble Sir Reginald Craddock, the Hon’ble Mr. G. R. Lowndes, the Hon’ble Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad, the Hon’ble Pandit Madan Mohan Malaviya, the Hon’ble Mr. C. H. Kesteven, the Hon’ble Mr. H. Wheeler, the Hon’ble Sir Ibrahim Rahimtoola, the Hon’ble Mr. Chakravarti Vijiaraghava-chariar, the Hon’ble Mr. A. P. Muddiman, the Hon’ble Mr. J. G. Cumming, and myself, with instructions to report on or before the 24th of March, 1916.”

**The Hon’ble Mr. Dadabhoy**—“Sir, I rise to say a few words at this stage on the proposed Bill generally, and particularly with reference to the amendment of which I have given notice. My Hon’ble friend has explained the object and scope of his Bill with ability, and has fully dealt

[ 22ND FEBRUARY, 1916. ] [ *Mr. Dadabhoy.* ]

with the important modifications which it proposes to make in the existing law. The Bill, though brief, is very important, and seeks to effect a very important change, one might say a radical change, both in Hindu and Muhammadan Law. Sir, I do not propose to enter into any detailed examination of the several provisions of this Bill at this stage beyond remarking that the measure is of an enabling nature, and permits Hindus and Muhammadans to make transfers of property *inter vivos* and by testamentary dispositions for the benefit of unborn persons within the prescribed statutory limits. As the Calcutta High Court has laid down, the cardinal rule governing Hindu wills is that the person capable of taking under a will should be such a person as could take a gift *inter vivos* and therefore, must, either in fact or in contemplation of law, be in existence at the date of the death of the testator. The recent Indian case-law has also made it abundantly clear that, under the law as administered at present by our Courts, effect cannot be given to settlements and dispositions of property for the benefit of unborn persons. As my Hon'ble friend Mr. Setalvad has pointed out, the only object of his Bill is to vest powers in our Courts to carry out the settlor's or testator's intention which, at present, they are not legally competent to do. The rule of law about a gift or a bequest in favour of an unborn person, as far as I am aware and as has been pointed out by the Privy Council, is not sanctioned by any express authoritative text of Hindu Law. The scheme of settlement that a gift should take effect after the death of the donor and that subject to a prior limited interest, involves modes of disposition not contemplated by the old Hindu Law-givers. As Mr. Setalvad has pointed out, with them a gift meant an immediate divesting of the interests of the donor, and the vesting of the same in the donee. The Hindu Law of wills, though a natural development of the Hindu law of gift, in reality is a creation of the British Indian Courts and the British Indian Legislature. To remove, then, the restrictions on the powers of gift *inter vivos* as laid down in the Shastric texts and on testamentary dispositions, is to extend the basic principle of Hindu Law and the law relating to Hindu wills which follows Hindu Law. But, Sir, it would be more in conformity with the modern and enlightened opinions of the two great communities, Hindu and Muhammadan, that they should have power to make testamentary dispositions to the same extent and subject to the same statutory limitations as are allowed in the case of the other communities. The proposed modification of the law will place these two communities on a footing of equality with the other communities in British India.

"Again, the rule against perpetuities is maintained in its integrity by the insertion in the Bill of the provisions of the Transfer of Property Act in that behalf. As I have just remarked the provisions of the Bill, from the more enlightened point of view, may be regarded as suitable and acceptable, but my Hon'ble friend will have to justify his position fully and very strongly on the grounds of public necessity, public policy and expediency before he can expect a full measure of support from this Council or the public generally. As far as I am aware, though the proposed modification of the law is very desirable, no serious inconvenience has been felt by the Hindu or Muhammadan community by reason of the law rendering invalid transfers in favour of unborn persons. Moreover, Sir, the British Government has systematically upheld and recognised the policy of preserving the privileges and the personal laws of the people of this country. This policy of non-intervention has been ensured by an Act of Parliament, the preamble of which says—

'That the inhabitants should be maintained and protected in the enjoyment of all their ancient laws, usages, rights and privileges.'

And this policy, Sir, as the Council is aware, has been reiterated and re-enunciated in several later enactments, passed both in England and in India, and now forms the foundation of all Acts of the Governor General in Council relating to dispositions of property. In this connection the Law Commissioners have also expressed a very definite and strong view, and, Sir, I shall take the liberty of reading a passage from their report. They observe—

'Hindu and Muhammadan Law derive their authority respectively from Hindu and Muhammadan religion. It follows that, as a British Legislature cannot make Muhammadan

or Hindu religion, so neither can it make Muhammadan or Hindu Law. A code of Muhammadan Law, or a digest of any part of that law, if it were enacted as such by the Legislative Council of India, would not be entitled to be regarded by Muhammadans as the very law itself, but merely as an expression of law, which possibly might be incorrect.'

Further on they observe—

'The Privy Council has already ruled' that estates cannot be created by Hindus in contravention of the principles which underlie the Thellusson Act, or subject to conditions which are void for repugnancy'.

In these circumstances, Sir, it remains to be seen what measure of support and what reception this Bill would receive from the country.

"In my opinion the Bill, if the law is to be self-contained and comprehensive, does not go far enough; in a sense it is incomplete. The other sections of the Transfer of Property Act, such as sections 16, 17, 18, 22—29, 31—34, and even section 35, are so intimately connected with the sections which the Hon'ble Member has selected for adoption that, in my humble opinion, the Bill may defeat its purpose and is likely to engender difficulties in practice. Section 2 (d) of the Transfer of Property Act, 1882 (IV of 1882) lays down that nothing in Chapter II of that Act shall affect any rule of Hindu or Muhammadan Law; and according to the interpretation of the Privy Council and the High Courts, Hindu Law does not allow a gift in favour of a person who is not in existence at the date of the gift. Section 3 of the Hindu Wills Act, 1887 (XXI of 1887), has created similar disabilities as regards bequests by will. Sections 100 and 101 of the Indian Succession Act of 1865 cannot, according to the interpretation of the High Courts, apply to Hindu Wills, except with regard to dispositions in favour of persons in existence at the date of the death of the testator. This disability exists both as regards dispositions taking effect during a man's lifetime as well as in regard to those which are to take effect after the donor's death. The Bill before the Council is intended to remove the disability in the case of wills, but it is not clear that a similar legislation will not have to be undertaken either separately or by incorporation in this Bill, to remove the disability in the case of gifts also. In fact, I would rather extend the principle of the Bill to the interdependent sections of the Transfer of Property Act, and would make the whole of Chapter II of that Act applicable to Hindus and Muhammadans generally, although section 2, clause (3) was framed and added at the instance of the Indian Non-Official Members of the Council and purely out of deference to the supposed religious susceptibilities of Hindus and Muhammadans.

"Sir, I shall now say a word or two on the amendment, of which I have given due notice. My Hon'ble friend, in moving that this Bill be referred to a Select Committee, has asked that instructions may be issued to the Committee to report on this Bill on or before the 24th March next. My Hon'ble friend has also stated at the end of his speech that, since the publication of this Bill not a single note of dissent has been heard or received. Now, Sir, I shall briefly mention the circumstances under which this Bill has been published. A rather unusual procedure has been adopted in the present case. The Bill was allowed to be introduced under rule 23 of the Rules of Legislative Business by publication, and this Bill was published in the Gazette of India of the 22nd January 1916.

"I understand, Sir, that the Provincial Governments have been informally consulted and a sprinkling of non-official opinion has also been taken on this Bill. But I find that the publication of this Bill has only recently been made. In Madras, this Bill was published in the provincial gazette on the 18th of February,—barely a week ago; in Bombay and Bengal, it was published on the 17th of February; in the United Provinces, on the 18th of February; in Bihar and Orissa, on the 15th of February, and in the Provinces which I represent—the Central Provinces—on the 18th of February. My Hon'ble friend has asked this Council to believe that not a single note of dissent has been received. I appeal to this Council to say if the public have had sufficient time to express either a note of dissent or a note of approval on this Bill. This Bill was published barely a week ago, and I, for one, Sir, cannot understand

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the reason why it should be so rushed through this Council. It is not a very urgent or emergent piece of legislation that it should be undertaken and passed through the Council this Session. It is a matter of principle, Sir, that all legislative measures, except those of a specially emergent character, must be referred to the country for an expression of public opinion before they are dealt with by this Council; and that is a wholesome principle. I therefore most respectfully, but at the same time most emphatically, protest against this Bill being rushed through the Council without giving the public a proper and adequate opportunity of expressing their opinions on it. Sir, I move my amendment not in any spirit of opposition. As I have pointed out, my entire sympathy is with the Hon'ble Member, and, so far as I am personally concerned, I hold with him that the Bill is a necessity; in fact, my Hon'ble friend has, in my opinion, rendered a public service by bringing this Bill forward and introducing it in the Council. But I cannot be a party to proceedings which will expedite the passage of this Bill through this Council in such a way. If the changes proposed by my Hon'ble friend will meet a public want, it will certainly strengthen our hands if we collect public opinion on it. If, on the other hand, there be reason to fear that the Bill will not receive public support, the necessity for a reference to the country becomes all the greater. On either hypothesis, the case for a reference to the country is extremely strong, and I therefore move the amendment which stands in my name, that the Bill be circulated for the purpose of eliciting public opinion thereon."

**The Hon'ble Khan Bahadur Mian Muhammad Shafi:—**

"Sir, in rising to support the amendment moved by my Hon'ble friend, Mr. Dadabhoy, I propose to keep strictly within the scope of the amendment itself, and do not intend to discuss the merits of the Bill at this stage. As I understand it, except in cases of urgency, the ordinary procedure with regard to the introduction and the subsequent stages of a proposed legislative enactment is, that after a Bill has been introduced in this Council, it is published in the various provincial gazettes, the opinions of Local Governments are asked for, and the Local Governments, in submitting their opinions, take a further step, that is to say, they consult representative bodies of the various communities in their own provinces with reference to the advisability or usefulness of the proposed measure. Now, what the Hon'ble Mr. Setalvad asks this Council to do, is to drive a coach and four through the ordinary procedure and refer his Bill to a Select Committee with the instruction that the Select Committee should send in its report by the 24th of March next. I venture to think that no ground whatsoever has been made out by my learned friend in support of this extraordinary procedure proposed in his Resolution. It seems to me, Sir, that bearing in mind the nature of the proposed legislation, and remembering the fact that it is not a case like that of the Wakf Bill where the Courts of this country or even the highest judicial tribunal of the Empire—I mean the Privy Council—have laid down with reference to a branch of the Muhammadan or Hindu law a proposition which is in direct contradiction to what is believed by Hindu and Muhammadan text-writers or by the people themselves to be the principle of their personal law—in which case, and in which case alone, it becomes necessary to resort to legislative aid in order to set matters right—that the case being not of this kind but, according to my learned friend himself, being expressly intended to introduce a modification in the personal law of the Hindus and Muhammadans, it seems to me that, over the heads of these communities, to ask the Council to reduce the proposed modification into the form of a statutory enactment is, to say the least, to tread upon very slippery ground, which might give rise to serious discontent in the minds of those orthodox people who are, as a matter of principle, opposed to interference by legislative enactment with their personal laws.

"Sir, as I have just said, I do not propose to discuss the merits of the Bill at this stage. Whatever our own ideas as a result of enlightened modern education may be, the question remains whether this Council is justified in

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passing an enactment which introduces important modifications in Hindu and Muhammadan law without consulting representative bodies of the two communities, without consulting representative individuals belonging to those communities, and then sending the Bill, together with the opinions thus obtained, to a Select Committee for consideration. It may be that, on being circulated in the various provinces for opinion, the Bill will receive the support of representative bodies and of representative individuals belonging to the two communities concerned, in which case my Hon'ble friend's course will become much easier than at present, and the Legislative Council will give its sanction to this measure without the slightest hesitation. But should the Bill meet with opposition from a very large proportion of the two communities, I venture to think that, in that case, the Government will pause before giving legislative sanction to this modification of their personal law. Therefore, it seems to me, Sir, that in the absence of any ground of urgency, it would be absolutely wrong on the part of the Legislative Council to rush through this legislation, as I said, over the heads of the people themselves. It is upon this ground that, at this stage, I entirely support the amendment moved by my Hon'ble friend Mr. Dadabhoy without discussing the merits of the Bill.

"There is one observation I should like to make in connection with a remark made by the Hon'ble Mr. Setalvad. He has told us that, since the publication of his Bill in the public press, he has not noticed any dissent from the principle of the Bill in any newspaper or coming from any province of India. That is, if I may venture to say so, placing the cart before the horse. When a Member of this Council seeks to introduce a change in either the personal law of any of the two main communities in this country, or even in the statutory law of the land, it is for him to make out a case in support of that change. It is not for those who wish to caution the Legislative Council in so important a matter concerning the personal law of the two communities to justify their position. It is for the advocate of the change to show that the change which he advocates has public support, that he has behind his back the consensus of opinion of the two communities mainly concerned with the proposed change. My learned friend, in his speech, has not referred us to any support either in the public press or on the part of any representative body in any province whatsoever which he has received as regards the principle of his measure. To say that there has been no dissent is neither here nor there; and the time, as pointed out by my friend the Hon'ble Mr. Dadabhoy, has been so short that it is really impossible to expect that the representative organs of the country, or the representative bodies of the two communities should, within so short a time, have expressed their dissent from this measure. I have no doubt that to the representatives of the two communities it has never even occurred, until possibly the present proposal was placed in their hands either yesterday or this morning, that Mr. Setalvad wanted to rush this measure through the Council in this manner. I have no doubt that they are under the belief that the ordinary rules of procedure which have obtained in this Council for years past will hold good, and that this Bill will be duly circulated among the Local Governments, and that Local Governments will ask representative bodies for their opinion—and it is at that stage that representatives will express their opinion and the public press of the country will discuss it. To say that this abnormal course, as is suggested by my learned friend, should be followed in regard to this particular Bill, simply because there has been no note of dissent in the public press, is to put forward an argument which really has no leg to stand upon. For these reasons, I give my support to the amendment moved by my Hon'ble friend Mr. Dadabhoy."

**The Hon'ble Sir G. M. Chitnavis:—**"Sir, however good the principle of this Bill may be, I beg to support the amendment proposed by my friend the Hon'ble Mr. Dadabhoy. This is essentially a Bill which should go to the country for a full criticism before it goes to a Select Committee. The Bill has not been as prominently before the public as the Hon'ble Mr. Setalvad thinks it has been; nor, as stated by the Hon'ble Mr. Dadabhoy, has sufficient

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time been given to the people concerned to give it full consideration. It is desirable that in a Bill of this nature, full opportunity should be given for criticism. Large interests are affected, and the suggestions that may be made by the people in case the Bill is more widely circulated will, I am sure, be of great value to the Select Committee also. I am therefore of opinion that it will not be wise for the Legislature to depart from the ordinary course in the case of this Bill, and I therefore beg to support the amendment."

**The Hon'ble Rai Ghanasyam Barua Bahadur:**—"I beg to support the amendment moved by my Hon'ble friend Mr. Dadabhoy. In doing so, I should not be supposed to be opposing the Bill itself at this stage. But I agree that a measure like this, which affects the two biggest communities of India, should not be hurried through without proper consultation. I don't think we shall be justified in doing so; and notwithstanding all that has been put forward in favour of the Bill, I am not convinced that any good reason has been shown to exist for considering or passing the Bill without obtaining the opinion of the Indian public in the usual way, so that the Council may be in a position to judge of its merits in all its phases. I am aware there is a volume of opinion in favour of the Bill. I am also aware that opinions against it are not wanting. Some people of the orthodox sections might consider it even a sacrilege to make innovations like this on the basis of modern law. We must see what the country thinks of this measure before we can say anything on it, and for that, public opinion properly and thoroughly obtained in the usual way is absolutely necessary. I, therefore, beg to support the amendment, and I hope the Council will see its way to defer the Bill till it has been circulated and the requisite information has been obtained properly."

**The Hon'ble Mr. Lowndes:**—"Sir, so far as this Bill seeks to remedy what appears to be an obvious anomaly in the legal position of the Hindu and Muhammadan communities, the principle of the Bill commands my entire sympathy. If this principle is capable of assimilation into the personal law of the two communities, I feel very little doubt that a great benefit will result from it. I think that the Hon'ble Mover was very wise in stating emphatically, at the outset of his speech, that there was no proposal to touch the doctrine of joint-family property of the Hindus, or to enlarge the testamentary power of the Muhammadans. I think it is clear that there is no such proposal involved in the Bill at all.

"Though there is a proposal in the form of an amendment before this Council that the Bill should not go to Select Committee but should be circulated, I think it may be as well to emphasise, in the first place, what the anomaly I have referred to is, which appears to me to be a very clear one. I think I can explain best what I mean by an illustration. I would take the case of the ordinary marriage settlement as known to English lawyers, the outline of which—which is all I propose to deal with—is probably well known to most of us present here. The proposition is that a father whose son or daughter is about to be married desires to make a provision definitely for the issue of that marriage; and the ordinary form that such a disposition takes is that property is handed over to trustees upon trust to pay the income to the husband or wife, as the case may be, for life, and after their death the fund to be distributable among the children. Now that, I think, everyone will agree is a very proper and wise provision to make, and one which the law would look upon eminently with favour. Members of the community to which the Hon'ble Mr. Dadabhoy belongs can make this provision and, in my experience, frequently do so. Members of the community to which the Hon'ble Mover of this Bill belongs cannot make it; and it seems to me very desirable that they should be enabled to make it. The object of the Bill is very largely to enable this to be done.

"I would take one other very simple and very typical instance, the case of a Hindu father who has only one daughter and no son, and whose natural and—I would say—proper desire is, in the hopes of having grandsons, to make some provision for them. He would naturally desire by his will to leave his

property to his daughter for life, and after her death to be distributed among her sons. He cannot do so at present, and one of the main objects of the Bill is to enable him to do so. Again, I submit the proposition will be considered by all of us a very reasonable one.

“So much then for the main objects of the Bill which I think, if I may say so, will commend themselves to all reasonable men. I am not of course dealing with the details of the Bill in any way at all. When we come to do that, I think that clause 6 of the Bill will require very careful consideration. It does not stand on quite the same footing as the main principle to which I have referred, but I do not think anything will be gained by my discussing it in any way now, as it is a somewhat technical question. I should only like to point out that a very similar Bill to this one was passed in the Madras Council two years ago (in 1914) enabling Hindus (it did not attempt to deal with the question of Muhammadans) to make similar dispositions to those which this Bill proposes they should be able to make now, and no provision similar to that contained in clause 6 found its place in that Bill, which is now part of the law of Madras.

“So far then, dealing with the principles of this Bill, I frankly express my approval of its principle, if it can be adapted to the necessities of the communities. But I certainly feel that there is a larger question shadowed in the background, and that is, that very difficult question of how far it is legitimate and how far it is possible to alter the personal law of Hindus or Muhammadans. That is a subject which has always been very jealously guarded under all legislative attempts in this country. I have been looking through the files of the discussions on the Transfer of Property Act when it was first passed, and I find that the greatest care was taken to see that no infringement whatever was made of the personal law of either Hindus or Muhammadans, and this was made a great point in the discussions all through, and only I may say when that was seen to be clearly provided for did the opposition to the Bill really fall through. It is not only that one has to be very careful in dealing with such a matter as that, but that, I think, we must proceed very slowly with it. There is no doubt that any innovation of this sort ought only to be made if the Council is satisfied that the communities concerned really want it, and it is, I think, not open to question that questions of this sort take a very long time to filter down into the minds of the mass of the community. We had a very striking instance of this in India, not very many years ago, when a Bill dealing with a peculiarly technical question of Hindu Law, which is usually known as the question of the gains of learning, was introduced by a very learned Hindu lawyer in the Madras Council and was passed, not hurriedly, not in any sense being rushed through as it is suggested is being attempted on this occasion; the Bill was introduced in 1891 and was only passed in Council in 1900, after an interval of nine years; yet it was evident that a knowledge of what was being done had not come to the members of the community concerned; and immediately after the passage of the Bill, when apparently the matter came up for discussion more freely, the Government of Madras, and indeed the Government of India, was bombarded with petitions against it from every quarter and from many influential persons, with the result that the Governor's assent to the Bill had finally to be withheld, and it has never gone into the Statute-book up to the present time. I think that is rather a warning that in any case where you are dealing even with the fringe of Hindu or Muhammadan Law, it is necessary to proceed very slowly and very carefully. The learned Mover of this Bill suggested that it did not really touch upon any essential question of either Hindu Law or Muhammadan Law. I doubt whether that can be accepted as a sound proposition. It is of the essence of both the systems of law referred to that no gift either *inter vivos* or by will can be made to an unborn person; and though it is only proposed to alter the law by making it permissive to do so, there is no doubt that in infringing upon that principle, in enlarging it, possibly for the more modern needs of society, you are touching upon one of the essentials of the system of law in each case. And in this connection I would also remark that it may be that it has not been wise to join the question of Hindus and Muhammadans together. It is possible, of

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course, that the Hindu community may be ripe for such a change as this, and that it may not be considered by them generally to touch anything which is of the very essence of their law, which is of course founded on their religion. It may equally well be that the Muhammadan community is not in a position to accept such a change at the present time, or indeed at any time. And we are undoubtedly in a more difficult position here in that the Bill attempts to deal jointly with both communities. I would suggest, therefore, that it is eminently necessary that we should proceed slowly and very cautiously before we attempt to introduce such a change into either system of law, and particularly into both of them jointly. It is for this reason that though, as I have said frankly, the principle appeals to me as a lawyer as a just and right one, I myself would accede to the amendment which has been proposed by Mr. Dadabhoy."

**The Hon'ble Sir Reginald Craddock :—**"Sir, I should like in a few words to supplement what my Hon'ble friend, Mr. Lowndes, has said on the subject of the amendment proposed by Mr. Dadabhoy, and to explain the attitude of the Government in regard to the Bill. It is one of general willingness to accede to legislation removing disabilities of the kind contemplated by the Bill, provided that the communities concerned show a clear and widely-felt desire to be released from those disabilities. Now, the Hon'ble Mover, as has been pointed out, is somewhat optimistic in saying that his Bill has evoked no criticism from the public. It is quite true that we have obtained certain opinions by circulating the Bill only administratively, but practically all the Local Governments have complained that the time is too short to secure a thorough ventilation of the measure and sufficient ascertainment of the views of the two great communities who would be affected by it. With regard to those opinions, so far as they go, I may say that Hindu opinion generally seems to favour the Bill, but even in their case, there are many who express considerable hesitation and a few who are definitely opposed. On the other hand, in the case of Muhammadans, the opinions opposed to the measure appear to be of larger volume than those in favour of it. Also among high judicial authorities there is considerable difference of opinion. Although the Hon'ble Mover has stated, and the Hon'ble Mr. Lowndes has to some extent confirmed the view, that the Bill in itself does not desire to go beyond this particular object, there is yet a strong body of criticism, and anxiety and doubt have been expressed, regarding the possible extent to which the personal law of the Hindus and Muhammadans might be invaded by the measure; and in the Punjab especially stress is laid on the importance of preserving the customary law, which has such prominence in that province. It has been pointed out (I merely mention it as an example) that the saving clause of the Bill saves only enactments which govern Hindu and Muhammadan Law, and makes no reference to the personal law of those communities.

There is also strong criticism as to the inexpediency of including in a single Bill two communities whose personal law on the subject of the disposition and devolution of property differs so widely as does the personal law of the Hindus and the personal law of the Muhammadans. Having regard therefore to these doubts and apprehensions, the Government feel that though they may, and do in fact, sympathise with the desire of the Hon'ble Mover of this Bill to emancipate the Hindus and Muhammadans from the restraints which may be felt by them, yet it is incumbent upon them to feel sure that the measure has won a wider and more general approval among both communities concerned than the papers before them at present disclose. It has also become evident from the debate that the amendment proposed by Mr. Dadabhoy meets with very general support, and practically no opposition on the part of the Non-official Members of the Council; and for these reasons the Government have decided to support the amendment moved by Mr. Dadabhoy."

**The Hon'ble Mr. C. Vijiaraaghavachariar :—**"Sir, may I be permitted to speak on the motion that the Bill be referred to a Select Committee."

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ghavachariar; Mr. Setalvad]

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**The Hon'ble the Vice-President :—**“The debate is on the amendment that the Bill be circulated for the purpose of eliciting opinions.”

**The Hon'ble Mr. C. Vijiara-ghavachariar :—**“Very well, Sir, I shall then confine my remarks to the amendment. The original motion is that the Bill be referred to a Select Committee with instructions to report on or before the 24th March next. Therefore the Bill cannot be passed in this session. In consequence the arguments resting on the basis that it should not be passed hastily have not much of substance in them. The question now is only whether and at what stage this Bill shall be taken up either by the Hon'ble and learned Member in charge of it, and I am sure the non-official Members of the Bombay Legislative Council would be sufficiently patriotic to give him a fresh lease at the Report stage; or at what other stage may the Bill be subsequently taken up. It seems to me that the difference between the original motion and the amendment is practically immaterial, and I think that the Hon'ble Member would do very well to accept the sense of the Council and withdraw the original motion and accept the amendment. I also believe that there is absolutely no need to import passion into the discussion of a measure like this. The Hon'ble and learned Member in charge of the Bill has made a very clear statement telling us exactly where we are. The Hon'ble the Law Member and the Hon'ble the Home Member, I believe, have somewhat traversed the original motion, but, Sir, I accept your ruling, and I shall not go into the merits of the original motion now. I may say that I am in entire accord and sympathy with the object and principles of the Bill, and also with the reasons put forward by the Hon'ble and learned Member, Mr. Setalvad, in support of the measure. Subject to this observation I am obliged to support the amendment, but I would venture to ask him not to call for a vote on the original motion, but to accept the sense of the Council for a postponement. My ground is a very narrow one; I am always against rapid legislation, however desirable that legislation may be in itself. Therefore, while declining to accept the reasons advanced in support of the amendment by my Hon'ble friends Mr. Dadabhoy and Mr. Shafi, I accept the mere amendment, namely, that the next stage shall be, not the report stage but the earlier stage that it be referred to a Select Committee, and that it now be circulated for the purpose of further eliciting opinion thereon.”

**The Hon'ble Mr. Setalvad :—**“Sir, in view of the discussion that has taken place in Council, I may at once say that I have no desire to rush this Bill through at all. If the wish of Hon'ble Members is, that there should be more time, more deliberation, more consideration of the measure in the country and by the press, I, for one, am quite agreeable to that course being adopted. My only desire in moving the proposition, of which I had given notice, was that I considered that the two communities concerned had suffered so long and so patiently under this disability, that the time had now arrived when they should be speedily relieved of it. While, therefore, acceding to the suggestion made, Sir, with regard to the postponement of the measure in the manner suggested by my Hon'ble friend Mr. Dadabhoy, there are one or two things which I desire to say with regard to what has fallen from some Hon'ble Members.

“With regard to my Hon'ble friend Mr. Dadabhoy, I am afraid that he has not yet really grasped the scope of this little Bill, because I understood him to say that the Bill dealt only with wills, and that he would desire that the Bill should go further and deal also with gifts *inter vivos*. If my learned friend would study this little Bill, he would see that the Bill proposes to deal with both those matters. It proposes to deal with all dispositions of property, and if he would look into the definition clause, he would see that it includes dispositions *inter vivos* and also bequests by will. Therefore, his complaint that the Bill does not go far enough in that way is certainly, under the terms of the Bill, not justified. Then, my learned

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and Hon'ble friend said that no serious inconvenience is felt by the Hindus and Muhammadans. I think my Hon'ble friend must be entirely oblivious to what is happening with regard to those Hindus and Muhammadans who, as I have said, in hundreds are making these bequests year after year, although it is well known now for many years, both by Hindus and Muhammadans, that the Courts do not hold these bequests to be valid. And you find it day after day in your experience as a lawyer that both orthodox Hindus and Muhammadans—"

**The Hon'ble Khan Bahadur Mian Muhammad Shafi :—**

"I rise to a point of order, Sir. Does this part of my Hon'ble friend's speech arise out of the amendment which he has accepted? I intentionally refrained from discussing all these questions, because it seemed to me that they were irrelevant."

**The Hon'ble the Vice-President :—**"The Hon'ble Mr. Dadabhoy mentioned these points in his speech. They were in order then because he wished to point out the complexity of the measure before the Council. As the Hon'ble Mr. Dadabhoy did mention them, I think it is only fair and proper that Mr. Setalvad should have the right of reply."

**The Hon'ble Mr. Setalvad :—**"I was pointing out, Sir, that my Hon'ble and learned friend must be oblivious of the real facts when he says that no serious inconvenience is felt by Hindus and Muhammadans. It is the common experience of every lawyer in the land, that orthodox Hindus and Muhammadans—my experience is, the more orthodox the Hindu or Muhammadan is the more keen he is to provide for his unborn generations—both Shias and Sunnis, day after day come and seek advice how to get out of this disability forced on them by the decision of the Courts. To say that there is no serious inconvenience felt by Hindus and Muhammadans in this matter is certainly to ignore existing facts. As I said, they have laboured under this disability for a very long time, and it does not matter if they labour under it for a little while longer; but to say that no serious inconvenience is felt, is certainly to ignore the real facts of the situation.

"Then my Hon'ble friend, Mr. Lowndes, referred to the Gains of Science Bill in Madras. But there is not sufficient analogy between that Bill and this, if I may venture to point out. This Bill is really an enabling Bill; it does not affect any persons who do not want to avail themselves of it, while the Gains of Science Bill affected all Hindus whether they wished to come under it or not. It affected not only the person who acquired those gains of science who was enabled by that Bill to keep those gains, but it also affected people who would otherwise have got those gains under the joint-family system, and who were deprived of them under that Bill. Therefore, it was not an enabling Bill merely, as this Bill is, but it was a Bill which, in substance and in fact, really touched and altered very largely the personal law of the Hindus. Therefore, I venture to submit, there is no analogy between that Bill and this, and that instance is certainly not in point.

"Then I am sorry Mr. Lowndes expressed the view that he regretted that Muhammadans had been joined in this Bill. And the view was also expressed by the Hon'ble the Home Member, that it was a pity that one Bill was brought in for both Hindus and Muhammadans whose personal law, as he pointed out, differed in many material respects. That is so, but in regard to this particular disability, there is no divergence at all between Hindus and Muhammadans. The disability is exactly the same in both instances. The disability is common to both the communities, and the reason for that disability is also the same in both the laws. As I have pointed out, delivery of possession is essential in both cases, and there cannot be any acceptance by, or delivery of possession to, unborn persons. Therefore, so far as this disability is concerned, the position is

absolutely identical with regard to Hindus and Muhammadans. I venture to submit, Sir, that it would be a great pity if Muhammadans were left out of the provisions of this Bill as suggested. It is for the Muhammadans no doubt, who will be affected by the Bill, to make up their minds about it, but I do say that it would be a great pity if the Muhammadans were left out from this enabling Bill. As I pointed out, Sir, my experience—and it must be the experience of other lawyers in the country also—is that you find an equal number of Muhammadans, if not more, who want to do this, who have time after time made gifts to unborn persons which the Courts have set aside as invalid. Therefore the need, the necessity and the desire to have it must be and is as keen among Muhammadans as it is among Hindus, and it would certainly be a thousand pities if Muhammadans were left out of this Bill as suggested in some quarters. As I said, I am quite willing that there should be further consideration of this measure, and that more time should be given for the purpose. But I say, whatever you do, I do hope and trust that the legislation, whatever the shape and whenever passed, will be with regard to both the communities at the same time, and that one community would not be left out. If, however, in spite of these views, which I venture to express, the Muhammadan community as a community do not want it, then certainly I should not desire that the Hindus should also not get it. If we have a very clearly expressed and overwhelming opinion that the Muhammadans as a community do not want it, then certainly we cannot force it upon them, and the Hindus alone may have to be dealt with. I do hope and trust that in a matter of this sort, where the disabilities, as I have pointed out, are absolutely identical, are based on the same reasons and are felt as an injustice in exactly the same manner by both communities, that one community would not be left out from the benefits of the provisions of this Bill which, I venture to submit, it is very necessary to provide for.”

**The Hon'ble Mr. Dadabhoy:**—“ Sir, I think I am entitled to reply to the speeches on my amendment. After what has fallen from the Hon'ble the Law Member and the Hon'ble the Home Member, it seems to me absolutely unnecessary to prolong this discussion. The Hon'ble the Home Member has pointed out that the opinions of the Provincial Governments were taken and also the views of some non-official gentlemen, and that, so far as public opinion has been ascertained, the Hindu opinion is in some cases in favour of the Bill, and in some cases it is against it; whereas in the case of the Muhammadan community, there is a great volume of opposition. This remark which has fallen from the Hon'ble the Home Member makes it perfectly clear that the necessity for a reference to the country is much stronger, and I am very pleased that the Hon'ble the Home Member and the Hon'ble the Law Member have pointed out, and have unequivocally declared, that in the case of such communal legislation we should move slowly and cautiously. With that principle, I feel sure that the whole Council is in complete accord

“ My Hon'ble friend Mr Setalvad has made one or two observations with reference to me in respect to which I should like to say a word. I have not overlooked the definition of the words ‘disposition of property’ which my friend has pointed out. In fact all that I said was, that there were other sections of the Transfer of Property Act which were so closely interdependent on the sections which the Hon'ble Mover has selected and which were left untouched, that there was some reason to apprehend that the Bill would defeat its purpose and possibly engender difficulties in practice. My Hon'ble friend is also in error in stating that I said that no inconvenience was felt at present by the Hindu and Muhammadan communities. But what I said was, that no serious inconvenience was felt by the Hindus and Muhammadans, and I repeat that, except in the Presidency-towns, such as Bombay and Calcutta, nobody ever thinks of making dispositions of property in favour of unborn persons. Very probably there is a strong desire in the Presidency-towns, but, so far as we are aware, in other places there is no such desire.

# HINDU AND MUSSULMAN DISPOSITION OF PROPERTY 140 BILL; RESOLUTION *RE* CONSTITUTION OF A SANITARY BOARD

[ 22ND FEBRUARY, 1916 ] [ *Mr Dadabhoy ; Maharaja Ranajit Sinha of Nashipur* ]

“ I shall not detain the Council with any further observations. Only I express my gratitude to the Hon'ble Home Member and the Hon'ble Legal Member for having agreed to my amendment.”

The amendment was put and agreed to.

## RESOLUTION *RE* CONSTITUTION OF A SANITARY BOARD.

**The Hon'ble Maharaja Ranajit Sinha of Nashipur :—**  
“ Sir, with your permission, I beg leave to move the Resolution that stands against my name and which runs thus :—

‘ This Council recommends to the Governor General in Council that a Sanitary Board consisting of officials and non-officials be constituted under the Government of India to advise as to the sanitary needs of the country.’

“ The question of the improvement of sanitation is already engaging the earnest attention of the Government, which is evident from their Resolution of 23rd May, 1914, and therefore it is superfluous on my part to dwell on the subject at any great length to establish its claim upon the special consideration of the Government. Sir, there is hardly any district which is free from the havoc of fever, specially of a malarial type, cholera, small-pox and diseases of respiratory organs. Plague has cast its root deep into the soil of the country ; and has made India, like other diseases, its permanent habitation. It appears that mortality is increasing gradually.

“ There are altogether 968 municipal towns, and the total population of these towns is 19,536,931. Out of this total population, 646,074 died from all causes in 1914. The figure for 1913 was 611,769 ; and fever alone contributed to 200,977 in 1914, and 197,221 in 1913.

“ Deaths from other causes, such as cholera, plague, and respiratory diseases, were as follows :—

	1914.	1913.
Cholera . . . . .	30,461	23,015
Plague . . . . .	35,537	32,154
Respiratory diseases . . . . .	76,523	69,316

“ Now if we take the whole of British India, including towns, it appears that out of the population of 240,995,560, total number of deaths from all causes was 7,057,806 in 1914 ; whereas the figure in 1913 was 6,845,018. The annual sanitary reports of 1915 are not yet published, so the figures for that year could not be found, but I am afraid, there will not be any appreciable improvement in that year's return. Sir, there are many towns and districts whose populations are gradually decreasing, and so sanitation can no longer be left as a matter of local concern only, but it has become an Imperial question also, and the Government of India in their Resolution on sanitation has also declared that Government of India retains in their hands the power of giving general direction of a policy of public health.

“ Sir, education and sanitation are the watch-words of modern India, and Sir Guy Fleetwood Wilson very justly remarked in his budget speech of 1913 that they are ‘ twins of phenomenal development.’ In one sense, sanitation to my mind appears to be the first of our needs. We must live before we can be educated. Since the creation of a separate portfolio much progress has undoubtedly been made, and education has been able to make a more rapid progress than sanitation. The member in charge of these departments, who is generally and popularly known as an Education Member, has naturally to devote more time and attention to education, and whenever he goes out on

tour in different provinces, he comes in contact with persons, both officials and non-officials, who are interested in education, and he gets an opportunity of interchanging his views with them ; further, he has the advantage of discussing every important matter connected with education with University Professors and Principals of both Government and private colleges. But in case of sanitation he meets very few people in big cities and towns, where sanitary conditions are comparatively better, who could enlighten him as to the real needs of mofussil towns and villages in respect of sanitation ; and thus he has very little opportunity of consulting non-official views in the matter. He is to remain generally contented with what he could gather from officials. There are many things in which it becomes necessary to consult laymen also, specially in our countries. In matters like this co-operation of the public is necessary. The Government of India have also declared that such co-operation should be secured. Paragraph 1, page 4, of Indian Sanitary Policy runs thus :—

‘ It must rest on a knowledge of the people, their conditions of life, their prejudices, social customs and habits, their surroundings and financial means ; and it must secure their co-operation.’

By my Resolution I have asked nothing further than to associate non-officials with officials in such an important matter. The mixed board would serve the purpose of an advisory board to the Government of India. At present the Government of India looks on its Sanitary Commissioner as its sole adviser in sanitary matters, and the Government have very little opportunity of getting non-official advice or mixed views of both experts and laymen. If such a board be created the non-official members would have to discharge their responsibilities, they would be the medium of communicating public views on matters of sanitation, and they would be able to gather information from different quarters, and would have an opportunity of discussing them with people who have best local experience in these matters, and when these non-official members would meet together they would have the benefit of interchanging their views each other, with the officials and experts, and the decision which would be arrived at by such discussion would, I hope and am sure, be more sound and profitable. As for instance, if a question arises whether the railway has obstructed natural drainage, and that is one of the main causes of malaria, the non-official members of different provinces may collect information in their own provinces whether the malaria really increased after railway construction, and when they meet at the board they may furnish such information which may be useful and valuable for the experts in arriving at a definite conclusion in the matter, and the board may advise the Government accordingly. Then, again, the proceedings of this board may be annually published and circulated to different provinces which may be of great value to them. There had been conferences at Madras and Lucknow in which both officials and non-officials, both experts and laymen, were invited, so it appears that the Government of India also adopted their policy. These conferences do not meet often, and those who attend have less responsibilities, whereas, if there be a permanent body, better results can be expected.

“ It may be said that there are already sanitary boards in each province, and so there is no further necessity of creating a board here. First of all these local sanitary boards have recently been associated with non-official members, and their general function is to sanction schemes brought before them. Secondly, members of provincial sanitary boards have no opportunity of discussing any subject of common interest with people of other provinces, and so they are naturally to depend upon their own findings in matters which could be better dealt with by free interchange of views with the experienced people of different provinces. The Government of India have said in their Resolution that an experiment in clearing jungle and undergrowth will shortly be undertaken. The research committee handed over to the Bengal Government a sum of Rs. 50,000 for the experiment ; but the experts there did not think it worthwhile to try the same. The local sanitary boards have no hand in the matter, though the popular belief is still high that the clearance of jungle and undergrowth will reduce the mortality from fever.

[ 22ND FEBRUARY, 1916. ]

[ *Maharaja Ranajit Sinha of Nashipur ;  
Maharaja Sir Manindra Chandra Nandi ;  
Sir C. Sankaran Nair.* ]

“ Sir, when I sent a notice to move the Resolution at the last Simla session, I was told that this being a controversial matter would not be discussed there. Sir, I failed to understand how this Resolution could be treated as such ; there is nothing in it controversial, there can be no harm if such a board be constituted ; rather I would think this would help in solving many important matters of sanitation. If the Government so think this may be created as an experimental measure, and, if it does not work well, may be abolished later on.

“ Then as regards the constitution of the board, I venture to suggest that it should consist of twelve members with the Hon’ble Member in charge of sanitation or the Director-General of the Medical Services as its President, and the Sanitary Commissioner as the Secretary. Other members may be nominated from amongst the additional members of Your Excellency’s Council or from outside as the Government think.

“ With these observations, I beg to commend the Resolution to the Government and Council for their acceptance. ”

**The Hon’ble Maharaja Sir Manindra Chandra Nandi of Kasimbazar.**—“ Sir, I beg to support this Resolution. There can be no question that the sanitary needs of the country are among the first requirements, and it is also essential that the co-operation of the people should be secured for the furtherance of sanitary measures. This object could be attained by such a proposal as is contained in the Resolution moved by my Hon’ble friend, the Maharaja of Nashipur. I hope this Resolution will be accepted by the Government.”

**The Hon’ble Sir C. Sankaran Nair.**—“ Sir, I rise to oppose this motion. The Resolution contemplates the interposition of a certain body, a Sanitary Board, between the Government of India and the Local Governments. The speeches have been, however, directed to showing the advisability of enlisting non-official co-operation. My Hon’ble friend has suggested a body of 12 men to form that Board, and he said that the few non-officials in that board of 12 men were to be the representatives of the various provinces in India, to bring to the notice of the Government of India their various sanitary needs. This is not satisfactory. Then, I am not sure whether my friend has fully realized the present policy of the Government of India, and the effect of his Resolution, if carried, thereon. That policy is indicated in the Resolution to which my friend referred ; it is to leave the administration really to the Local Governments, and the local bodies. As it is put there.—

‘ The policy of the Government of India is to keep the control of research under itself, but to decentralise the other branches of sanitation.’

“ But I quite concede that if there are reasons sufficient for the Government of India taking the administration into their own hands, then they are bound to change that policy ; and the question for this Council to decide is whether there are such reasons, whether the administration by the Local Governments and the local bodies have been so unsatisfactory in these respects that there should be a greater interference by the Government of India, and whether such interference is likely to lead to better results. Sir, one of the main reasons, which the Hon’ble Mover has put forward, is the state of the country from a sanitary point of view. He has referred to the increasing mortality in India. Without conceding that there is that increasing mortality throughout the whole of the country, I am prepared to concede that in various tracts of the country there is an increasing mortality, sufficient to cause disquiet. There is also heavy infantile mortality. It is also true that tracts of country which were considered immune from malaria before are now malaria-stricken. Health resorts of ancient days are now avoided. All this may be conceded. It may also be true that some of these results may have been brought about by certain acts to which the Government itself may be taken to have been a party. I, therefore, do not blame my friend,

if it is competent for me to do so, for challenging a policy which has led to these results. But all the same I am perfectly satisfied that this Resolution would be, if accepted by the Council, a retrograde step, and it would not be in furtherance of the interests which he wishes to serve. Let us come to grips with the question. Now, first of all, take the local bodies. How does the question stand with reference to the municipalities? The first and the most important need is the supply of pure water; because unless you supply pure water to the municipalities, it would be harsh to ask the inhabitants to fill up their tanks or wells or other sources of supply. These supply very often impure water and are breeding grounds of mosquitoes.

“ Even if you supply pure drinking water, the difficulty is that in many cases there are strong objections raised by orthodox people to use pipe water and to discard either tank water or well water, however impure it might be. Further, it may be very inequitable to ask a man to close a tank even after supply of pipe water. If the cost of filling up the tank is more than the actual cost of the land itself, the Board may hesitate to proceed to the length of directing the man to fill it up. Again, the Council has to bear in mind that every depression in the land, every pool, every tank may be a potential nursery ground for the breeding of mosquitoes. All these things seem to show that the matter is one which is essentially local; it must be attended to by local men, and it has to be settled by co-operation between the local authorities and the local inhabitants; it has to be settled by them not with reference to any fixed rule which any central board can lay down. How can a Sanitary Board of the kind suggested by the Resolution be of any practical benefit so far as these local bodies are concerned.

“ As the Hon’ble Members are aware in many of these municipalities there is a non-official majority, in almost all, with very few exceptions, there are non-officials who can make their voices heard; there is here, therefore, non-official co-operation. The sanitary administration by local bodies might not have been very successful. But there are many reasons for it. I do not mean to say, and my friend must not understand me to say, that I lay the blame entirely on the non-officials; if it will give my friend any comfort I can tell him what is said in one of the latest Reports I have received; the Sanitary Officer in that Report does not hesitate to say that in a certain class of government buildings ‘a line of red fire buckets half filled with water and mosquito larvae’ are always found. These local bodies act under the Sanitary Boards who act generally as advisors of Local Governments, and non-officials may be appointed as members of those Boards.

“ They were constituted under a Government of India Notification in which it was pointed out to the Local Governments that they should seek non-official co-operation. In some of the Provinces you have non-official Members, in other Provinces the Governments have not yet seen their way to appoint them, my Hon’ble friend now wants an all-India Sanitary Board over the Provincial Boards. How that will improve the state of things he does not say. He has not said anything to show that these Sanitary Boards or the Local Governments have not performed their duties properly and rendered all assistance to the local bodies.

“ If my friend wants his Imperial Sanitary Board to advise the India Government only on those matters which are now dealt with by them, we have only to see what they are, to find out that they can do very little. The main functions of the Government of India consist in giving financial assistance and deputing scientific men for investigation. Till the war broke out, we have been very liberal. As to the latter we have been supplying our scientific men from the Research Department for the purpose of investigation whenever the Local Government have asked for them. It is true that at present we have had to withdraw them on account of the war; most of the men appointed were members of the Indian Medical Service, and they formed part of the Military Reserve, and on account of the war they have had to be withdrawn and the inquiries closed. But their inquiries have proved very fruitful, and it is for the Local Governments to take action wherever needed. I will refer to Bengal

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to illustrate the general position. It is true that in thousands and thousands of square miles of Bengal malaria now prevails where it did not prevail before Dr Bentley, who has examined the question with the results of those who have examined the question before him, is of opinion that the increase of malaria is mainly due to the embankments made by Railway Companies and for the purposes of irrigation by others. I have discussed the matter with the Chief Sanitary Commissioner; it is his opinion and mine also that, if these conclusions are accepted, the Local Governments will have to devise some means for the purpose of meeting the difficulty which is created by these embankments; some means must be devised for letting in flood water for the inundation of lands, because otherwise the lands are exhausted, and cultivation deteriorates, the people become poorer, and greater facilities are afforded for the propagation of mosquitoes. We have to call in the irrigation engineers to help us to devise means in order to let in water at proper seasons, and after the necessity ceases, to drain the land of the water.

“That is a problem to be worked out by the sanitary staff with the help of the engineers, and I have little doubt that the Government of Bengal will take the matter into consideration at a very early period. A central Sanitary Board or the Government of India cannot do much. The initiative has to be taken by the Local Government, and as I said I have little doubt that the Bengal Government will soon proceed to take action on Dr. Bentley’s Report. All that we can do, is to give them Research officers, if they want any, in order to make any investigation, and to send them irrigation engineers and, if money is wanted, as there is little doubt it will be, to give them what we can. In any of these respects I do, not see what a Sanitary Board here can do. On the other hand, a Sanitary Board here can prove obstructive, it all depends on the sort of men you have. As it now stands, when the recommendations of the Government of Bengal come up, it rests with the Government of India to act upon them, and we hope to act promptly. We usually do not interfere with the measures which the Local Governments put forward; but if the non-official and official members here take a view, from their experience of other parts of India, which may not be in accord with the view taken by the Local Government, difficulties might be created. Because the conditions in the various provinces of India are different, that what may be very desirable in one place would be very detrimental in another province. Officials differ as well as non-officials. The necessity of consulting these Boards might thus create difficulties in the way of the Government of India. I submit therefore to you, Sir, and I submit to the Members of this Council, that I do not see that much benefit will be derived by the interposition of a Sanitary Board between the Government of India and the Local Governments. It is much better to leave these things to the Local Governments and the local bodies themselves. One sympathises with the object of the Hon’ble Mover, and it is rather distasteful to me to ask the Council to reject a motion prompted by such excellent motives. I would therefore ask the Hon’ble Mover to withdraw his motion, with the full assurance that every suggestion that may have to be made or that may be made by the non-official Members here, will receive full and sympathetic consideration. There has been only one request made since I came to the Council here, and that was at the last meeting, and we accepted that Resolution. But, if my Hon’ble friend cannot see his way to do that, I must ask the Council to reject this motion, because I foresee, as I said, possibilities where a Board might stand in the way of prompt action by the Government of India, where prompt action might be necessary and useful. They might also be mischievous in some respects. I therefore beg, Sir, to move that this motion be rejected.”

**The Hon’ble Mr. Vijiaraghavachariar :—**“Sir, I am sorry I cannot congratulate the Government on their attitude with regard to the important prayer embodied in this Resolution. It is even difficult to quite understand what this attitude is. It strikes me that some of the arguments advanced by the Hon’ble Member in charge of the Education Department would be just the reason why the Resolution should be accepted by the Council.

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For instance, he has told us that there are local conditions here and there, such as the hesitation by the orthodox communities regarding the use of pipe water, and things of that sort ; but I should think that that is just the reason why such a Board should be created. The Hon'ble Member may rest assured that among the non-official Additional Members, some orthodox people would always find their way here, and they would be of immense use if they were added to this Sanitary Board in advising the Government of India as to what measures should exactly be taken in matters of sanitation due to special conditions. It is stated that a good deal of the sanitary reform shall depend upon the attitude of the people everywhere. Now, this attitude of the people can be better discerned and described to the Government of India by such a Board as the Resolution asks for for appointment. The Hon'ble the Education Member said a good deal about the undesirability of interference by the Government of India with the powers of the Local Governments in sanitary matters. Is it in contemplation on the part of the Government of India to divest itself of all its control in sanitary matters over Local Governments, or is it going to continue to retain its present degree of control ? Whatever sort and extent of control it means to retain, we do not mean to ask to-day for interfering with it. The Resolution does not mean to ask for the alteration of the scope and purview of that control, but it says that, in the exercise of that control, Government, instead of leaving the whole question in the hands of the Director-General and the Sanitary Commissioner, may be pleased to take a Board and to let that Board assist the Government in coming to final conclusions. I fail to understand what exactly is meant by saying that the effect would be michievous. Why does the Hon'ble Member suppose that a Board would be more apt to thwart the Government than the Director-General and the Sanitary Commissioner with the Government ?”

**The Hon'ble Sir C. Sankaran Nair :—**“ I did not say ‘ would ’ ; I said ‘ might ’ .”

**The Hon'ble Mr. Vijiaraghavachariar :—**“ Might ! Well, thank you. I am quite willing to jump from the indicative to the potential mood. But in either case how does it matter, how does it arise that a Board consisting of a number of men—twelve good men and true—with experts, officials and non-officials, Indians and Europeans, would take to throwing difficulties in the way of sanitation ? Why should they be expected to thwart the intentions of Local Governments more than a couple of very distinguished gentlemen, no doubt, but who have very little time to give to these things, the Director-General and the Sanitary Commissioner with the Government of India ?

“ Now let us take the existing state of facts. What do we find ? The Sanitary Department with the Research Branch is just now as ill-kept as ill-kept can be. It is entirely recruited from the Indian Medical Service. The Hon'ble Sir Pardey Lukis only a couple of years ago told the Royal Commission that the Indian Medical Service is losing its attractions for the best youths of England, and that there is a constant deterioration in the quality of the candidates who present themselves for the Indian Medical examinations twice a year in England.

“ The Sanitary Commissioner, on the other hand, has also supplied us with another important fact. He has told us that the members of the Indian Medical Service are generally unwilling to enter the Sanitary Department and the Bacteriological Department. He said in his evidence before the Royal Commission two years ago, that the permanent cadre is a discontented lot, and that the officiating members are being forced into it against their own wishes. And such are the men who are to constitute the Sanitary and the Research Department, and to save the dumb millions from preventible diseases and preventible deaths !! That is not all. Why should the recruitment of this service be confined to the Indian Medical Service ? And where are they now ?

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These men are gone on account of the war. To constitute this service out of discontent and out of deterioration and make it, too, part of the military organization of the country and war reserve, liable to recall at any time, is certainly not to realise the very heavy responsibility of the Government to the dumb peasantry of this country in this vital connection. These officers are now fighting a new and fell disease in Europe, which I shall call 'Kultur'; but, pending the play and the complete destruction of this 'Kultur,' you allow malaria and a host of other diseases in India to have free play. Is that fair? Now, suppose we had a Board containing non-official Indians. They certainly would not be party to such a constitution and recruitment nor to a total withdrawal of the men from this country and leaving the people victims to diseases in increasing numbers. I cannot, in these circumstances, understand the exact attitude of the Government, and I doubt very much whether the Government has quite realised its own position in this connection. I exceedingly doubt it. May I inquire how many more minutes I have?"

**The Hon'ble the Vice-President :—**"Two."

**The Hon'ble Mr. Vijiaraghavachariar :—**"Thank you. This Sanitary Department has had a very chequered life. I believe it is over half a century old, and the Sanitary Commissioner has admitted before the Royal Commission that the first and the larger part of it was characterised by vacillations in policy, but that since the dawn of this century, Government has been developing a steady forward policy. And these are the results of the forward policy, namely, the staff is constituted, as I said, of inferior materials and drawn from a war reserve so as to starve the service frequently. Therefore, I very respectfully submit that we have every evidence before us that the Resolution is in very good order, and the challenge thrown out by the Government that acceptance of it by this Council would be a retrograde step has not, I believe, been warranted by all these circumstances. The policy of the Government, if the motion is rejected, would be that we should wait till after the war, and then for many a long year we shall only be having absolutely academic researches and nothing more. What is wanted is people on the spot to cope with the dangers as they arise, and to deal with them on the spot and collect and test facts, and then go to add to and modify theories. What is now proposed is theory first, theory second and theory thirdly, and later on, or not at all, attempts at practical measures. I very much protest against this sort of attitude which the Government has assumed in reference to this very important matter. Give us a Board, give us an Advisory Board of officials and non-officials, and we shall soon find the phenomenon of the death-rate going down everywhere in the country."

**The Hon'ble the Vice-President :—**"Order, order. I must ask the Hon'ble Member to bring his remarks to a close."

**The Hon'ble Mr. Vijiaraghavachariar :—**"With the greatest pleasure, Sir."

**The Hon'ble Sir Pardey Lukis :—**"May I rise to point out one error in the eloquent speech of my Hon'ble friend opposite. He has alluded very frequently to me personally in connection with Sanitation. I should like to point out that the Director-General of the Indian Medical Service has nothing whatever to do with Sanitation. The final authority on this subject is the Sanitary Commissioner with the Government of India, who deals direct with the Education Department without the files coming before me at all."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur :—**"Sir, I am sorry that the Hon'ble Member in charge of Sanitation could not accept

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RESOLUTION *RE* THE EARMARKING OF THE ASSIGN-  
MENTS OF PUBLIC WORKS CESSES TO CERTAIN SPECI-  
FIED PURPOSES.**

[ *Maharaja Ranajit Sinha of Nashipur.* ]      [ 22ND FEBRUARY, 1916. ]

my Resolution. Perhaps I have been misunderstood in certain matters. I do not desire that the Board suggested should be an executive one, and that it shall have the power to reject any proposals of the Local Governments in any matter. It should be merely an Advisory Board, and this Board, consisting of officials and non-officials, would, I think, be in a better position to advise the Government as to local conditions, because the non-officials would not be taken from one province only, but would be drawn from the different provinces. They would have thus an opportunity of a free interchange of views, and might settle matters more satisfactorily than the Sanitary Commissioner, who has only an expert knowledge of the matter. The Government of India have Sanitary Conferences. Now what is the necessity for Sanitary Conferences when the Government of India gets expert opinions? The reason is, that these Sanitary Conferences are conferences at which both officials and non-officials, laymen and experts, are present. This Board will be practically a kind of Sanitary Conference; it will be called a Sanitary Board which will act as an Advisory Board.

“Sir, I fail to understand the reasons which prompted my Hon’ble friend the Member in charge of Sanitation to reject this proposal. It is presumably the wish of Government that non-officials should be associated with officials in such matters, and I have only asked for that. I have not gone any further. The Board will not be able to thwart any scheme which is brought forward by Local Governments. It will have nothing to do with any such schemes. The Sanitary Commissioner is now the sole adviser of the Government of India. I wish that Government should have the benefit of the experience and advice of non-official members also. I am thankful to my friend, the Hon’ble Member for Education, for his sympathy and for his promise that the opinions of non-officials will always receive his best consideration, but I regret that I do not see my way to withdraw the Resolution.”

The motion was put and rejected.

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**RESOLUTION *RE* THE EARMARKING OF THE AS-  
SIGNMENTS OF PUBLIC WORKS CESSES TO  
CERTAIN SPECIFIED PURPOSES.**

**The Hon’ble Maharaja Ranajit Sinha of Nashipur:—**

“Sir, with your permission, I beg to move my next Resolution, though I am not sure what will be its fate also. The Resolution runs thus:—

‘This Council recommends to the Governor General in Council that the Local Governments and Administrations may be instructed to earmark such proportion of the assignments of Public Works Cesses to the local bodies as they deem proper for the purpose of supply of pure drinking water and for other sanitary measures.’

“The question of rural sanitation is of great concern to us all though it is more difficult and perplexed than that of urban areas, and though it may take a long time before one could expect real and material progress, but still, Sir, I think, if our action be steady and methodical, we can expect a satisfactory solution at no distant date. The Government paid special attention to this important part of sanitation in the year 1908, when an annual grant of thirty lakhs (Rs. 30.00 000) was made to the Local Governments, but since the assumption of the exalted office of Viceroyalty by Lord Hardinge, the Government of India have moved more rapidly; the total grants which have been made to Local Governments and Administrations amount to about five crores of rupees, both recurring and non-recurring.

“In addition to this, the Government of India in 1913 made more liberal annual grants in assigning entire proceeds from local cesses, which used

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PURPOSES.

[ 22ND FEBRUARY, 1916. ]      [ *Maharaja Ranajit Sinha of Nashipur.* ]

to be credited to the Governments, to District Boards of certain provinces, namely, Bengal, Bihar and Orissa, United Provinces of Agra and Oudh, Punjab and the North-West Frontier Province, and this grant amounted to Rs. 90,76,533 in 1914-15. We cannot ask for any further doles at the present juncture, when it is our paramount duty to sacrifice whatever we possess for the successful termination of the war in order to uphold the prestige and honour of the British Arms. So instead of asking for any further grant, I have ventured to suggest that whatever we have got should be properly utilized. It is clear that the local cesses which were surrendered to District Boards were given for the purpose of rural sanitation. The Government of India in their Resolution of 1914 remarked :—‘ In addition, grants amounting to 82·23 lakhs a year, have been made to District Boards in certain provinces, a substantial portion of which will be expended on rural sanitation ;’ and from the speeches of the Hon’ble members at the time of the Budget discussion in March 1913 would go to show that they also took the same view.

“ Now let us see how far the intentions of the Government of India have been carried out in practice, and how far public expectations have been fulfilled. The following figures would show the amount of cesses surrendered and the amount spent by District Boards for rural sanitation in the years 1913-14 and 1914-15 :—

	Grant.	Amount spent.	Grant.	Amount spent.
	1913-14.	1913-14.	1914-15.	1914-15.
Bengal . . . . .	29,90,367	4,78,373	30,72,802	7,66,466
Bihar and Orissa . . . . .	23,26,704	1,95,948	25,51,453	3,28,561
United Provinces of Agra and Oudh.	Not avail- able.	1,11,850	32,02,744	1,52,821
Punjab . . . . .	2,21,072	31,048	Not avail- able.	31,042
North-West Frontier Province	26,973	8,762	28,460	11,528
				12,90,418

“ From this statement, which I have just now read, it appears that the total grants for 1913-14 was Rs. 87,67,860, whereas District Boards spent only Rs. 8,25,981; and in the year 1914-15 the total grant amounted to Rs. 90,76,533, whereas they spent only Rs. 12,90,418. From the figures which my Hon’ble friend. Sir Edward Maclagan, very kindly supplied to me, and for which I am grateful to him, it appears that the District Boards of these five provinces, prior to this grant in 1912-13, spent Rs. 4,93,676 for water-supply, drainage and other sanitary purposes; and I presume that they used to spend similar sums for that purpose; and if this sum be deducted from their expenditure for the years 1913-14 and 1914-15, the figures will stand thus: Rs. 3,32,305 for 1913-14 and Rs. 7,96,742 for 1914-15; in other words out of the total grants of Rs. 1,78,44,393, only Rs. 11,29,047 were spent, *i.e.*, about 6 per cent has been expended on this important matter. It is thus evident that the local bodies have failed to appreciate the intention of the Government of India in making this grant, and so the time has come when some positive action needs to be taken. It is undoubtedly very generous on the part of the Government of India to adopt the policy of non-interference; but, Sir, the exigencies of the case demand it. The Government stands in the position of a donor in this case, they, in a manner, gave a broad hint how their gift should be utilized, and if the donee fail to carry out the intentions of the donor, I think the latter is perfectly justified to dictate the terms; specially, the District Boards as now constituted, do not stand in the same position as Municipalities. The District Magistrates are *ex-officio* Chairmen of such boards, and they have not got a non-official majority, and so I think the Government could safely guide them to adopt the proper course. There is a precedent in this respect. The District Boards have been instructed to earmark a certain percentage for primary education and

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[ *Maharaja Ranajit Sinha of Nashipur ; Sir Edward Maclagan.* ] [ 22ND FEBRUARY, 1916. ]

I cannot understand why they cannot be asked to earmark a certain proportion of their extra income for sanitation. Sir, I have an experience of twenty years as member of the District Board, and I always found that they were reluctant to spend more for water-supply and the like, as they think that the improvement of rural sanitation is beyond the range of practical politics. Sir Charles Elliot, while Lieutenant-Governor of Bengal, issued a circular that at least Rs. 5,000 a year should be spent by each Board for rural water-supply, but I often found that the circular was never acted upon. Sir, it is not possible that the Government would be able to make a substantial grant for the improvement of rural sanitation for years to come, and if the substantial portion of the new grant be not utilized for this special purpose, I am afraid we cannot expect any material progress in the near future.

“His Excellency Lord Carmichael invited a conference at Darjeeling in October 1912 to consider about the rural water-supply. Both myself and my Hon’ble friend Rai Sitanath Ray Bahadur, who is here, attended the conference. Then there was no possibility of such Imperial grant, and it was suggested that some portion of the Road Cess might be earmarked for the purpose, and when this grant was announced by Sir Guy Fleetwood Wilson we were confident that a long-felt want in this respect would be removed at no distant date, but our cherished hopes have not as yet been fulfilled.

“Sir, in rural sanitation water-supply forms the principal factor, and both Government and the people are one on this point. The Government of India, in their letter to the Local Governments concerned in March 1913, also expressed the hope that a substantial portion of this grant would be set apart for rural water-supply and the like. It runs thus:—

‘The Government of India leave it to Local Governments, if necessary, to what specific purposes this increased income should be devoted. But they trust that a substantial portion of this sum will be set apart for the improvement of rural water-supply, for anti-malarial measures, for the protection of grains, stores and markets in plague infected localities, and generally for the sanitation of villages and small towns.’

“By this Resolution I have not asked the Government of India to prompt the Local Governments what proportion of the grant should be earmarked, but have left the matter entirely to their discretion. I am sure Local Governments will not grudge any instructions on the part of the Supreme Government in this connection

“One word more and I am done. Sir, it is a known fact that on account of the insanitary condition of the villages, many people have left their sweet ancestral homes and settled in towns and so, practically speaking, very few people of light and culture could be seen in the villages. The Government is anxious to revive the old system of our village union and Panchayat and improve its condition; but unless the rural sanitation could be improved, I am afraid the Government won’t find any suitable resident in the village who could take interest in the village improvement and competent to look after its affairs.

“With these observations, I commend the Resolution for the acceptance of the Council.”

**The Hon’ble Sir Edward Maclagan :—**“Sir, the Hon’ble Member has described the facts which have led to his Resolution. Briefly speaking, there were portions of certain cesses which up to the year 1913 were, in the five provinces of northern India, taken over by the Local Governments. From April, 1913, these portions of cesses have been handed over to District Boards. He wants us now to insist on certain definite portions of that additional income being used for certain sanitary measures which he mentioned.

“He asked a question on this subject last September, and, in reply to his question, he was informed that the Government of India had left it to Local Governments to determine, if necessary, to what specific purposes the increased

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income above referred to should be devoted, but they had, at the same time intimated that they trusted that a substantial portion of this sum would be devoted to the purposes which he has mentioned

“ I venture to think that the Government of India have gone as far as is advisable in the matter, and I would deprecate any further specification of the exact items upon which this money should be spent. The amount of money required for sanitary purposes differs a great deal in different districts, and not only from district to district, but from time to time, and it would not be fair on Local Governments to require them to ear-mark certain portions of the money that is to be given to each district for use in a particular way. The system of ear-marking of the income of District Boards by Government is one which has prevailed in various places, and opinions about it have differed. But the Decentralisation Commission in their report have pronounced on the whole against it, and have stated that restrictions on the manner in which districts should allot their funds should be swept away. The Government of India have so far supported this view that in their Resolution on local self-government, 1915, they have stated that they expect these restrictions should be gradually relaxed. In the face of all these pronouncements, it would be very difficult for us to go back and to say that, when we have given certain additional income to District Boards, we should insist on their using a certain proportion of it for those specific purposes which the Hon'ble Member refers to. In any case, the local bodies have, so far as I am aware, had unrestricted power over this additional income during the last two years, and it would be a little difficult for us to step in at this stage and to insist on their using it for certain purposes.

“ I am sorry, therefore, that we cannot accept the Resolution of the Hon'ble Member as it stands. But what he wants is really not so much that particular items should be ear-marked in each district, as that the bulk of this money should be spent on these sanitary measures. If we can take steps to meet his wishes in that respect, I think that perhaps he may be satisfied. He has mentioned the amounts which he says have been given to the districts and the portions of these amounts which they have spent on sanitation. I do not altogether accept the position that very little has been spent. We cannot tell exactly how much out of that particular additional income has been spent on these sanitary objects, but we can tell how much has been spent on sanitation and water-works in the various provinces. The amount which has been spent on these items in those five provinces has risen from about five lakhs in 1912-13, before this money was given, to about thirteen lakhs in 1914-15, that is to say, it has more than doubled in two years. He expects us to make quicker progress than that; but when you consider how long it takes for a sanitary project to be taken up, passed, and considered, I am not sure that the progress made is not satisfactory in itself. At the same time, I quite agree that it would be a good thing, and possibly it would lead to valuable results in the direction which the Hon'ble Member contemplates, if the Local Governments and District Boards were invited to examine the figures again, and if the Hon'ble Member will be prepared to amend his Resolution, I would suggest for his consideration that he may recast it in the following terms :—

‘ That this Council recommends to the Governor General in Council that the attention of the Local Governments concerned may be invited to the orders issued by the Government of India on 1st March, 1913, regarding the transfer of certain local and public works cesses to district bodies, in which the Government of India expressed a wish that a substantial part of the income thus provided should be set apart for the improvement of rural water-supply, for anti-malarial measures, for the protection of grain stores and markets in plague infected localities, and generally for the sanitation of villages and small towns. ’

“ If the Hon'ble Member is prepared to have his Resolution amended in this way, I may say that Government are prepared to accept it. ”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur :—**

“ Sir, I am indeed grateful to the Hon'ble Sir Edward Maclagan for being

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PURPOSES**

[ *Maharaja Ranajit Sinha of Nashipur ; The Vice-President.* ]      [ 22ND FEBRUARY, 1916.]

prepared to accept my Resolution in a modified form. I am not very keen that a particular sum must be ear-marked if a substantial sum is set apart for sanitation. I want to impress upon Government and the Council that this new grant which was made for the purpose of rural sanitation was not actually utilised for that purpose. The Government of India in 1913 drew the attention of the Local Governments that a substantial portion of this amount should be set apart for the purpose of rural water-supply and other sanitary measures ; and when the Government are prepared to accept the Resolution to that extent, I have no objection to accept the amendment as proposed, and so, with your permission, Sir, I beg to move the amended Resolution."

**The Hon'ble the Vice-President:**—" You must first ask for permission to withdraw your first Resolution, and then move the amended Resolution."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur:**—" I beg to withdraw my original Resolution."

**The Hon'ble the Vice-President:**—" The Resolution is by permission withdrawn."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur:**—" Then, Sir, with your permission, I beg to move the amended resolution :—

' That this Council recommends to the Governor General in Council that the attention of the Local Governments concerned may be invited to the orders issued by the Government of India on 1st March, 1913, regarding the transfer of certain local and public works cesses to district bodies, in which the Government of India expressed a wish that a substantial portion of the income thus provided should be set apart for the improvement of rural water-supply, for anti-malarial measures, for the protection of grain stores and markets in plague infected localities, and generally for the sanitation of villages and small towns.' "

The Resolution, as amended was put and accepted.

The Council adjourned to Wednesday, the 1st of March, 1916.

A. P. MUDDIMAN,  
*Secretary to the Government of India,  
Legislative Department.*

DELHI :

*The 29th February, 1916.*

## APPENDIX A.

[ *Vide* Proceedings, page 124. ]*Statement regarding Press prosecutions under the Press Act, 1910.*

Province.	Number of press (a) prosecutions under the Press Act, 1910, since the outbreak of war.	Number of news- papers, English and Vernacular, that have ceased publication since the outbreak of war.	Number of newspapers (b) whose securities have been enhanced (together with amount of security) since the outbreak of war.
1. Madras . . . . .	<i>Nil</i>	37	<i>Nil</i>
2. Bombay . . . . .	<i>Nil</i>	26	<i>Nil</i>
3. Bengal . . . . .	6	66	<i>Nil</i>
4. United Provinces . . . . .	<i>Nil</i>	23	<i>Nil</i>
5. Punjab . . . . .	<i>Nil</i>	42	<i>Nil</i>
6. Burma . . . . .	<i>Nil</i>	11	1
			From Rs500 to Rs1,000.
7. Bihar and Orissa . . . . .	<i>Nil</i>	3	<i>Nil</i>
8. Central Provinces . . . . .	<i>Nil</i>	3	<i>Nil</i>
9. North-West Frontier Province . . . . .	<i>Nil</i>	2	<i>Nil</i>
10. Assam . . . . .	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
11. Coorg . . . . .	<i>Nil</i>	<i>Nil</i>	<i>Nil</i>
12. Delhi . . . . .	<i>Nil</i>	7	4
			One from Rs2,000 to Rs10,000.
			Two from Rs500 to Rs2,000.
			One from Rs1,000 to Rs2,000.
TOTAL . . . . .	6	220	5

*N. B.*—The above figures were collected in response to the question asked by the Hon'ble Mir Asad Ali on the 1st October 1915. They are accordingly up till that date only.

(a) The reference is to prosecutions under sections 16 (2) or 23 of the Act.

(b) The reference is to newspapers which previously gave some security which has been enhanced.





GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915 (5 & 6  
Geo. V, Ch. 61.)

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The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Wednesday, the 1st March, 1916

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 53 Members, of whom 45 were Additional Members.

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**OATH OF OFFICE.**

**The Hon'ble Mr. Charles Herbert Atkins** made the pre-  
scribed oath or affirmation of allegiance to the Crown.

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**QUESTIONS AND ANSWERS.**

**The Hon'ble Mr. M. B. Dadabhoy** asked :—

1. "(a) Is it a fact that British investors have during the current year sent back to India for sale a large amount of enfaced rupee paper ?
- (b) If the answer to (a) is in the affirmative, will Government be pleased to state the total face value of the paper so remitted ? "
- Remission of enfaced rupee paper for sale in India.

**The Hon'ble Sir William Meyer** replied :—

"The amount of rupee paper re-transferred to India during the first ten months of the current financial year was Rs. 126 lakhs, against which Rs. 36 lakhs was transferred to London, the net amount transferred to India being

[*Sir William Meyer; Mr M. B. Dadabhoy; Sir Reginald Craddock; Sir William Clark; Rai Sita Nath Ray Bahadur; Sir R. W. Gillan; Mr. Rama Rayaningar.*] [1ST MARCH, 1916.]

thus about Rs. 90 lakhs. The net amounts so transferred vary considerably from year to year, as will be seen from the statement\* showing the net transfers from India during the period from the 1st April to the 31st January in each of the last ten years which I place on the table. It will also be observed from the statement that the amount transferred in the first ten months of the present year has several times been exceeded in the period mentioned."

**The Hon'ble Mr. M. B. Dadabhoy** asked :—

Indian Civil  
Service Bill.

2. "(a) Were the Government of India consulted by the Secretary of State for India before the preparation of the Bill, which has since been passed as the Indian Civil Service (Temporary Provisions) Act, 1915 (5 & 6 Geo. V, c. 87) ?

(b) If the answer is in the affirmative, do Government propose to lay on the table the correspondence on the subject ? "

**The Hon'ble Sir Reginald Craddock** replied :—

"(a) The Government of India were consulted in the matter.

(b) A full Statement of Objects and Reasons of the Bill was given in the Home Department Press Communiqué dated October 26th, 1915, and the Government of India do not propose to lay the correspondence on the table. "

**The Hon'ble Mr. M. B. Dadabhoy** asked :—

Weights and  
Measures  
Committee.

3. "(a) Have the recommendations of the Weights and Measures Committee been considered by Government ?

(b) Did the Committee suggest that legislation on certain lines should be undertaken ?

(c) If so, do Government propose to undertake such legislation at an early date ? "

**The Hon'ble Sir William Clark** replied :—

"The Weights and Measures Committee's Report has been referred to Local Governments and Administrations and to Political Officers in Native States for observations, and it will be considered by the Government of India when the replies from all these authorities have been received. The recommendations made by the Committee involve legislation, but it is not possible to say, until the Report has been fully considered by the local authorities consulted and by the Government of India, whether such legislation will be undertaken."

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

Conversion  
of Indian  
workshops  
into munition  
factories  
under  
Government  
control.

4. "Will the Government be pleased to state whether, in connection with the present war, any private Indian workshops have been used as munition factories under Government control ? "

**The Hon'ble Sir R. W. Gillan** replied :—

"The reply is in the affirmative."

**The Hon'ble Mr. Rama Rayaningar** asked :—

Practical  
School of  
Agriculture  
at Loni in  
the Bombay  
Presidency.

5. "(a) Is it a fact that the Practical School of Agriculture at Loni in the Bombay Presidency has been found to have justified its existence ?

(b) If so, do Government propose to take the earliest opportunity to have similar schools established in other Provinces ? "

[1ST MARCH, 1916.] [Mr C. H. A. Hill; Mr Rama Rayan ngar; Sir Sankaran Nair; Sir Reginald Craddock.]

**The Hon'ble Mr. C. H. A. Hill** replied :—

“(a) It is believed that the Government of Bombay hold the view that the Loni School has justified its existence.

(b) The question was discussed by the recent Conference on Agricultural Education at Pusa, and the Government of India are awaiting the report of that Conference.”

**The Hon'ble Mr. Rama Rayaningar** asked :—

6. “(a) Have Government received the final report of the Indian Pilgrims Committee? Indian Pilgrims Committee.

(b) If the answer to (a) is in the affirmative, will Government be pleased—

(i) to state whether any action has been taken upon the report ; and

(ii) to lay the report on the table ? ”

**The Hon'ble Sir Sankaran Nair** replied :—

“There is no single Pilgrim Committee for the whole of India, but Provincial Committees have made inquiries into arrangements for pilgrims in connection with pilgrimages held in the United Provinces, Bihar and Orissa, Madras and Bombay, and their reports have been, or will shortly be, submitted to the Governments concerned. On receipt of the provincial reports, the Sanitary Commissioner with the Government of India will prepare a general report which will, it is hoped, be submitted this summer.”

**The Hon'ble Mr. Rama Rayaningar** asked :—

7. “(a) Is it a fact that the Government of Madras have recommended to the Government of India that a Deputy Director of Agriculture be appointed to supervise cattle breeding in that Province? Appointment of a Deputy Director of Agriculture in Madras.

(b) If so, do Government propose to pass early orders sanctioning the appointment ? ”

**The Hon'ble Mr. C. H. A. Hill** replied :—

“(a) The answer is in the affirmative.

(b) The matter has been referred for the orders of the Secretary of State.”

**The Hon'ble Mr. Rama Rayaningar** asked :—

8. “(a) Will Government be pleased to state the number of sanatoria for tuberculosis in India? Sanatoria for tuberculosis in India.

(b) How many of these are State, and how many private, institutions? Are the private sanatoria aided by Government? If so, what is the aid granted ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“The information asked for by the Hon'ble Member is contained in the statement \* laid on the table.”

**The Hon'ble Mr. Rama Rayaningar** asked :—

9. “(a) Has the question of support to the Ayurvedic and Unani systems of medical treatment ever been considered by Government? The Ayurvedic and Unani systems of medical treatment.

(b) Do Government propose to consider the desirability of appointing a committee to inquire whether the practice of those systems has been really useful in giving relief to the suffering millions of the Indian people, and, if so, how that practice can be improved and helped by State support ? ”

[ *Sir Reginald Craddock* ; *Sir Fazulbhoy Currimbhoy* ; [1ST MARCH, 1916.]  
*Maharaja Sir Manindra Chandra Nandy* ; *Sir*  
*C. Sankaran Nair* ; *Mr T. W. Birkett* ]

**The Hon'ble Sir Reginald Craddock** replied :—

“The general question of affording support to the Ayurvedic and Unani systems of medicine has not hitherto been considered by the Government of India. Representations on the subject by those interested in the matter have recently been received, and inquiries as to the existing methods of teaching and practising the indigenous systems of medicines are being made. The matter has also come up in connection with a scheme for a medical school of this character at Delhi. It is not thought that advantage would at present result from the appointment of a committee of inquiry, but the subject will be further examined in the light of the information which is being collected.”

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

Measures  
for checking  
usury.

10. “(a) In connection with the Government of India's circular letter of the 6th July, 1914, regarding measures for checking usury, will Government be pleased to state whether the opinions of Local Governments and Administrations have been received, and whether Government have decided to undertake preventive legislation ?

(b) If so, has a Bill been prepared ?”

**The Hon'ble Sir Reginald Craddock** replied :—

“Replies have been received from those consulted, but the consideration of the Bill has been delayed by more urgent work. It is hoped that a decision will be arrived at shortly.”

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

Buddhist  
relics  
recently  
discovered  
at Taxilla.

11. “(a) Is it a fact that Buddha relics have recently been discovered at Taxilla ?

(b) If so, what decision, if any, have Government come to as regards the enshrinement of those relics ?”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“(a) Certain Buddhist relics have been recently discovered at Taxilla

(b) No decision has yet been arrived at regarding their ultimate destination.”

**The Hon'ble Mr. T. W. Birkett** asked :—

Hostile  
trading  
concerns.

12. “Will the Government of India be pleased to state, with reference to the Hostile Foreigners (Trading) Order of the 14th November, 1914, read with the Hostile Foreigners (Bulgarian Trading) Order of the 11th December, 1915—

(1) the number of hostile trading concerns in Bengal, Bombay (including Sind and Aden), Burma and the rest of India, which were granted individual licenses—

(a) to trade for the purposes of liquidation only ; and

(b) to continue trading under Government control or otherwise ;

(2) the number of hostile trading concerns—

(a) whose licenses have been revoked or whose applications for licenses have been refused ;

(b) whose liquidation under license has been completed to the extent necessary to enable the firm to be closed down ; and

[1ST MARCH, 1916.] [Mr T W. Birkett; Sir William Clark]

(c) whose liquidation has been so far completed that they are now licensed only to dispose of indent stocks, to collect debts or to conduct suits;

(3) what are the balances credited to Government by the several Controllers of Hostile Trading firms on account of the assets of such liquidated concerns;

(4) how much of the assets of such concerns still remain to be collected?"

**The Hon'ble Sir William Clark** replied :—

"A statement \* containing the information required by the Hon'ble Member is laid on the table"

**The Hon'ble Mr. T. W. Birkett** asked :—

**13.** "Will the Government be pleased to state what measures have been adopted by the Government of India—

(a) to prevent the export, directly or indirectly, to enemy countries of cotton, manganese, jute and other raw materials capable of utilisation in the manufacture of munitions of war;

(b) to prevent the importation of goods of enemy manufacture and origin?"

Exports from India to enemy countries.

**The Hon'ble Sir William Clark** replied :—

(a) "Direct export of all raw materials to enemy countries ceased automatically at the outbreak of war. Declarations of destination are required in all cases of shipment to Siam, China, Persia, Morocco, Portuguese East Africa and Liberia and to all countries in Europe and on the Mediterranean other than the United Kingdom, Russia and France. All requests from His Majesty's Government enjoining restriction on exports of raw material of potential military value to neutral countries from which supplies might reach the enemy have been fully complied with. The Government of India have, moreover, in some instances either suggested to the Secretary of State or imposed on their own initiative further restrictions based on information obtained in India.

(b) Soon after the outbreak of war, the Government of India prohibited the importation of all goods from neutral European countries bordering on enemy territory unless they had been certified by British Consular officers in those countries not to have been produced or manufactured in enemy territory. In imposing these restrictions, the Government of India have closely followed the instructions of the Secretary of State, and have frequently, on their own motion, had doubtful consignments examined even though they were admissible according to the strict interpretation of those instructions."

**The Hon'ble Mr. T. W. Birkett** asked :—

**14.** "Have the Government of India departed in any important respects, so far as is known to them, from the policy of the British Government regarding hostile trading concerns?"

Policy regarding hostile trading concerns.

**The Hon'ble Sir William Clark** replied :—

"The Government of India have no detailed information as to the procedure followed in the United Kingdom, but from such information as is before them, they understand that action has only been taken in respect of concerns wholly or partially owned by persons residing in enemy countries, and that liquidation has only been ordered in a few exceptional instances. In India, on the other hand, all concerns wholly or partially owned or controlled by persons of enemy nationality irrespective of country of residence fall within the scope of the Hostile Foreigners (Trading) Order issued under the Foreigners Ordinance, and as is shown by my reply to the Hon'ble Member's Question No. (12) on the list of Questions for to-day, a considerable proportion of

them have been brought into liquidation. There is now before the House of Commons a Bill enabling the Home Government to adopt in respect of firms of enemy association in the United Kingdom a similar policy to that which has been followed in India since November, 1914."

## FINANCIAL STATEMENT FOR 1916-17.

### Introductory.

#### Some general effects of the War on trade and finance.

**The Hon'ble Sir William Meyer:**—"My Lord, I rise to present the Financial Statement for 1916-17. As usual there will be no debate to-day, and before we get to the stage of discussion with reference to the Financial Statement as such, it will be necessary to proceed with some very urgent legislation which I shall presently have to introduce. We shall, however, begin the discussion stage on the 9th March. The figures in the Financial Statement will subsequently undergo such amendments as may be required by our later information or suggested by the discussions in Council. The Budget in its final form will be presented on the 21st March, the usual closing debate taking place on the 24th.

"2. We are still under the shadow of the great European war, and we must unhappily assume that that colossal conflict will continue throughout 1916-17. I need not repeat what I said at the opening of my last year's speech as to the many ways in which the war affects our financial and economic position, but I may fitly reiterate the difficulties which existing circumstances cause in regard to the preparation of correct financial estimates. These difficulties are not so great as they were at this time last year when we had only the actuals of a few months of war to go upon. But they still remain very considerable, for circumstances may well occur which would materially alter the prognostications we are at present able to make. As I said last year, we must not be too pessimistic, but at the same time, with all that the war and its economic results may yet have in store for us, sanguine estimating is entirely out of place.

"3. I commenced my speech last year by indicating some of the immediate effects of the war on our economic and financial position. Since then, to use a nautical metaphor, while we are still in very heavy waters, our ship has settled down to navigation on a more even keel, and we have been free from the sudden and disturbing shocks which the outbreak of war brought about. We have, for example, had no recurrence of the great rush on postal savings banks deposits which I mentioned in paragraph 7 of my last year's speech and which reduced the aggregate amount held in these banks from 24½ crores at the beginning of August 1914 to somewhat less than 15 crores on the 31st of March last. In the current year, there was some increase in the deposits during the earlier months, and though latterly this has changed into a decrease, we estimate that on the 31st March the total savings bank balances, including accruals of fresh interest, will still be 17 lakhs in excess of the figure for 1st April 1915. Nor have we had any recurrence of a special demand for the encashment of currency notes. On the contrary, while our active note circulation\* stood at about 47 crores at the beginning of the current year, it had mounted up to 54 crores in February.

"4. The Railway returns show satisfactory activity in internal trade, while the exchange position has been satisfactorily maintained. The sale of reverse Councils on London, in the shape of deferred telegraphic transfers, was only necessary during a period commencing in June last and ending in September; thereafter an extraordinarily strong demand for Council drafts on India set in, which has been maintained till the present date. The stability of our exchange, indeed, stands in marked contrast to the exchange troubles that have afflicted the belligerent countries in Europe, including Great Britain herself.

"5. On the other hand, if the difficulties of the opening months of the war have not been specifically repeated, the second year has brought its own perplexities. The very strength of exchange, though a healthy sign in itself, has proved a somewhat inconvenient problem, in view of the very large indirect remittances which, as I

\* That is excluding notes in Government Reserve treasuries and at the headquarter offices of the Presidency Banks.

[1ST MARCH, 1916.]

[Sir William Meyer.]

shall show more fully later, we have had to make by incurring military expenditure in India which is recoverable from the Home Government. Money market conditions, again, have become very stringent, and the situation has been aggravated by the depression of Government paper. We have found it necessary to place far more stringent restrictions upon expenditure, and also to restrict the borrowings of public bodies in India, and we ourselves are now shut off from fresh borrowing in the Home market. Thus, though in some respects we may have less to fear from the element of surprise than a year ago, we have settled down to a fuller realisation of the test of endurance which this prolonged war imposes on us.

“6. We have moreover been badly treated by the monsoon. The last cold weather rains were unusually plentiful, and the outlook at the beginning of the year was promising. The south-west monsoon, however, arrived late, and was weak and unsteady in July and August, particularly in the north-west of India. A line drawn from Bombay to Delhi may be said roughly to have divided the area on the east, in which the rainfall was good or excessive, from that on the west, in which it was deficient. Excessive rain produced serious, and sometimes disastrous, floods in Assam, where the hill section of the Assam-Bengal Railway was so badly damaged that it had to be closed for a time; in the Noakhali and Tipperah districts of Bengal; and in the Cawnpore and Lucknow tracts of the United Provinces. In the west, on the other hand, a continued shortage of rain threatened at one time to have very serious consequences. Fortunately opportune rainfall in September and October greatly improved the prospects of the important *rabi* crops in the Punjab, and changed the position considerably for the better elsewhere, especially in Gujarat, where there would otherwise have been famine.

“This year's winter rains, again—long delayed and scanty—have proved very inadequate in Northern India, though what fell last month distinctly improved the previous situation.

“The conditions described have of course materially affected the land revenue, and have involved a certain amount of outlay, to which I shall refer later, on the conveyance of fodder, and to some extent on direct relief. On the whole, however, the results, from the financial standpoint, have been much less serious than at one time seemed probable. A splendid wheat crop was harvested at the beginning of the year, and there was a satisfactory outturn of sugarcane and cotton. The jute crop, on the other hand, showed a decrease of some three million bales. As regards the crops at present on the ground, the wheat over a large area has suffered from want of rain; the cotton area and outturn are estimated at some 30 per cent below those of last year; the prospects of the oil-seed crop and sugarcane are fair; and the season has on the whole been favourable for the rice crop, except where it has suffered from floods.

“7. The depressing effects of the war on the foreign trade of India of course continue, and scarcity and dearness of freight add to the effects produced by the closure of ordinary trade channels and by special restrictions which have been necessary for military and public purposes. As an instance of the way in which freight has risen in the course of the war, and of the diversion of merchant shipping to military and naval purposes, I may mention that recent information shows that jute freights from Calcutta to Dundee are eight times what they were before the war began, while in the case of light seeds from Bombay to Marseilles the increase is nine-fold. These specimen figures will give some idea of the extent to which shortage and costliness of freight have hampered trade operations

“There is no need to go into detail in regard to the various special restrictions which have been placed on exports and imports in the course of the war, but speaking generally such control has become much closer during the current year. The general policy throughout has been (a) to restrict the trade in foodstuffs and articles capable of being turned to warlike uses in the case of countries whence they can pass to the enemy; (b) to stimulate the export of a few articles to the United Kingdom and allied countries, or countries which are making munitions for the Allies; and (c) to restrict the export of a very few articles owing to their being needed in India.

“8. The combined operation of these causes, together with the stoppage of trade from and to enemy countries, has naturally resulted in the contraction of the volume of our sea-borne trade. In the year 1914-15, two-thirds of which was under war conditions, the total trade of India amounted to 354 crores (£236 million) against

491 crores (£327 million) in 1913-14, there having been a decrease, in respect of private merchandise, of 25 per cent under imports and 27 per cent under exports. Taking the first nine months of the current official year, the exports of private merchandise are much the same as in the corresponding period of 1914-15 (142 crores against 141), while imports are about 12 crores less (97 against 109), the advantage that 1914-15 obtains owing to its including 4 months of peace having been largely counterbalanced by the great dislocation in trade in September and October which followed the exploits of the 'Emden.' While our trade is considerably diminished with most countries, and has of course completely stopped with enemy nations and with Belgium, there has been some compensation in the shape of larger exports to the United Kingdom. In the first nine months of the current year these—in the case of the more important articles—exceeded the figure of the corresponding period of 1913-14 by 9 crores.

"9. On the export side the volume of trade has expanded in some directions under the demand for our tea, hides and skins, raw jute and jute and cotton manufactures—shipment of these articles taken together, having increased, as compared with the corresponding nine months of 1914-15, by 15½ crores. Exports of tea, gunny bags and cloth have in fact reached a record figure. The prices of all these commodities have improved: those of jute in particular have largely recovered from the depression to which I referred in paragraph 14 of my last year's speech; raw jute standing a few days ago at R52-8 per bale of 400 lbs. against R37-8 on the corresponding date last year. Cotton prices too have risen, the last quotation per candy (784 lbs.) of *oomras* at Bombay being R254 against R157 on the corresponding date in 1915, and R222 before the war broke out. This recovery in price, and the requirements of Japan, which has taken over one million cwt. more than in the corresponding period of 1914-15, have helped to counteract to some extent the loss of the Continental markets to which Indian cotton is in normal times ordinarily shipped: but the contraction in the exports of this staple is nevertheless over 11 crores. Exports of seeds, too, have fallen off considerably. I shall refer to wheat exports and prices towards the end of my speech, in connection with the Wheat Scheme, but I may mention here that the exports of wheat have been about 650,000 tons, which is approximately the same as in the corresponding period of 1914-15, though a great deal less than the exports of the year preceding (about 1,100,000 tons). This year the transactions would of course have been much larger than they were but for the fact that the Government, in the interests of Indian consumers, found it necessary to put special restrictions upon export.

"10. On the import side our trade for the current financial year remains much below the level reached before the war, and so far shows little recovery from the sudden drop which occurred at the outbreak of hostilities; and this of course has had a very prejudicial effect on our customs revenue. I shall refer later on to the particular Tariff heads most affected.

"I now pass on to the task of laying before the Council our estimates for the present and the coming year.

### Forecast of financial conditions in 1915-16 and 1916-17.

#### Revised Estimate of Revenue and Expenditure for 1915-16.

"11. The general position is brought out in the following table\*, which compares the current year's Budget and the Revised Estimate now put forward:—

[In millions of pounds.]

	Budget, 1915-16.			Revised, 1915-16.		
	Imperial.	Provincial.	Total.	Imperial.	Provincial.	Total.
Revenue . . .	49·650	30·750	80·400	51·868	30·638	82·506
Expenditure . . .	52·607	31·828	84·435	53·968	31·296	85·264
Deficit (—)	—2·957	—1·078	—4·035	—2·100	—·658	—2·758

[ 1ST MARCH, 1916. ]

[ *Sir William Meyer.* ]*Revenue—Imperial.*

“ 12. We budgeted this year for a total Imperial revenue of about £49·6 million. The Revised Estimate shows £51·8 million, or an increase of about £2·2 million.

“ This is due entirely to an increase of £2·3 million under the net receipts from State Railways, *i.e.*, gross receipts, less working expenses and portion of surplus profits paid to companies. In the current year's Budget we estimated the gross receipts at £35·3 million and the net at £14·9 million—against £35·6 million and £15·2 million the corresponding figures taken in the Revised Estimate for 1914-15, and £37·5 million and £17·5 million the respective figures for 1913-14. We had to estimate with caution in view of the altered state of things brought about by the war, remembering that the first four months of 1914-15 were under peace conditions. Fortunately the railways have done considerably better than we expected: the gross receipts are now taken at £37·7 million, and the net at £17·2 million. The improvement is attributable partly to more active internal trade and partly to coal which would usually have been sea-borne being diverted to railway routes in consequence of the shortage of tonnage.

“ 13. There is a net decrease of about £100,000 under the remaining heads of revenue, produced mainly by a falling off under Customs and the Imperial share of Land Revenue, counterbalanced by increase under some other heads.

“ (1) The Land Revenue deterioration (£220,000) is accounted for by the unsatisfactory character of the south-west monsoon in various parts of the country, to which I have already alluded, especially in the United Provinces, the Punjab, and Bombay *quā* Gujarat and Sind. The position would, of course, have been much more serious but for the late rains which finally arrived in Gujarat and elsewhere.

“ (2) Under Customs the decline of revenue—mainly due to war conditions, including scarcity of shipping and heavy freights—has been larger by £310,000 than was anticipated in the Budget. The most important shortages anticipated are in respect of rice (export duty), cotton manufactures, metals and manufactures of metals, and petroleum, while we get some rise in sugar and manufactured articles.

“ (3) On the other hand two Imperial heads—Posts and Telegraphs, and Opium—show a satisfactory improvement, totalling £270,000. Under Salt, too, there is a rise of £150,000; but this is mainly due to speculative clearances made in the last few weeks in the expectation of an enhancement of duty. There is also, turning to heads which are largely Provincial, an improvement aggregating £210,000 in the Imperial share of Stamps and Income Tax, which is to some extent counterbalanced by a falling off of £70,000 under the Imperial share of Excise, the revenue from which is readily depressed by adverse trade and seasonal conditions.

“ These, however, are little more than the normal variations between estimates and actuals or semi-actuals to which we are accustomed in an ordinary year.

“ (4) The assignments of Imperial revenue to Local Governments have increased by £130,000, owing chiefly to the payment to the Government of Bihar and Orissa of a contribution promised to it to meet the initial outlay on the High Court buildings at Bankipur.

“ (5) The outstanding feature of the revenue history of the period is thus the excellent return from Railways, in spite of conditions which at the outset appeared adverse. As I shall show shortly, the expenditure side presents as striking a feature in the excess under military expenditure, and these two items may be noted as constituting the only really important departures from the estimates we made in forecasting, twelve months ago, the prospects of an unprecedentedly doubtful year.

*Expenditure—Imperial.*

“ 14. We budgeted for a total Imperial expenditure of £52·6 million, which has now to be raised to £53·9 million. This increase is entirely due to larger outlay on Military Services, amounting in all to £1·6 million. In the Budget we took the total outlay under this head at £21·4 million, against £21·8 million in the Revised Estimate for 1914-15, the decrease being due mainly to cutting down of all avoidable expenditure with reference to the financial situation. I may explain that the figures I am now handling include the contribution made by India towards the war by her defrayal of the normal charges in connection with troops she has sent outside her borders, but they do not of course take into account expenditure which we incur out here

merely on behalf of His Majesty's Government—in regard to such matters for instance as the supply of munitions and war material—and which we recover from them.

“The large increase over our Budget anticipation is due mainly to the following causes :—

“(1) Revised arrangements with His Majesty's Government in regard to the practical application of the general formula that India should make no saving by war conditions. The sea transport charges, for instance, which we have to incur on our own account, are at present very small, owing to the cessation of normal drafts and reliefs of British troops, and in the Budget we considered ourselves entitled to take this as a legitimate saving. After further discussion, however, it has been decided that we ought to pay the same charge as if normal conditions had prevailed; and including retrospective application of this principle to the war period of 1914-15, we have had to make an extra payment on this account of about £540,000.

“(2) It has similarly been decided that although the Territorial troops who have been sent out to us in exchange for regular British troops on the Indian establishment were at first less in number than the troops they have replaced, we ought to pay the same amount as if we had had our normal establishment of regulars all along; and adding food charges to pay and allowances, this decision results in an extra cost of about £40,000.

“(3) The military operations we have had to undertake on the North-West Frontier have involved an additional cost of about £260,000, to which must be added another £90,000 in respect of operations at Aden.

“(4) We shall also have had to spend about £260,000 more for various special measures connected with the internal security of the country and possible eventualities on the frontier.

“Taking *net* military outlay, *i.e.*, gross expenditure less receipts, this now stands at £41·8 million against £20·2 million taken in the Budget.

“15. As regards the civil heads, there is an excess of about £150,000 under furlough allowances, due to a partial relaxation of the restrictions on leave which were imposed at the beginning of the war. On the other hand, there is a saving of £120,000 on the interest payable on capital deposited by Railway Companies resulting from a curtailment of their intended borrowings.

“The other items on the expenditure side reflect the results of a stricter policy of retrenchment. The scope for retardation of expenditure is of course much less on the Imperial than the Provincial side, since the latter includes all the main heads of civil administration; and in both cases it had already been restricted by the reduced allotments which we made in the budget of the current year. The total saving on the non-military Imperial heads amounts, however, to as much as £260,000, so that, taking the military services into account, the increase on the expenditure side as a whole is £1·3 million, which falls short of the improvement in revenue by some £900,000.

#### *Revenue and Expenditure—Provincial.*

“16. The Provincial revenues were taken in the Budget at £30½ million, and expenditure at £31·8 million, leaving a deficit of over £1 million to be met by drawings on the Provincial balances. The figures now are—revenue £30·638 million, expenditure £31·296 million, deficit £658 000. Like ourselves, the Provincial Governments have suffered in respect of their Land Revenue and Excise, their total loss under these heads, as compared with Budget anticipation, being about £380,000. There has also been a falling off of £120,000 in the Forest revenue—of which nearly £80,000 occurs in Burma and is due to shortage of freight and reduced demand for timber occasioned by the war. On the other hand, the Provinces share our fortune in having had better returns—to the extent of £215,000—under Stamps and Income Tax.

“The reduction of expenditure, amounting in all to some £500,000, occurs under Civil Works, Education and Land Revenue. I must in this connection convey our appreciative acknowledgment of the loyal and thorough way in which the Local Governments have responded to our call for retrenchment both as regards 1915-16 and 1916-17, with the result, in the case of the present year, that though their original Budget grants were restricted at the outset, and their revenues have not quite come up to expectations, the Provinces are now expected to close the year with an aggregate deficit of some £400,000 less than their Budgets allowed for.

[1ST MARCH, 1916.]

[*Sir William Meyer.*]*General Results—Imperial and Provincial.*

“17. The aggregate figures of Imperial and Provincial revenue and expenditure are brought out in the statement in paragraph 11, and I need only emphasise the following points:—

“(1) The revenue is £2,100,000 more than we anticipated in the Budget, there being an increase of £2·2 million under Imperial, and a decrease of £100,000 under Provincial.

“(2) The expenditure is £0·8 million more than we anticipated. There has been a saving of some £500,000 under Provincial, but an increase of £1·3 million under Imperial.

“(3) Consequently the Imperial deficit is reduced from £3 million to £2·1 million, the Provincial from £1 million to £0·6 million, and the aggregate from £4 million to £2·7 million.

“But as I shall explain later on (paragraph 60), our Budget proposals for the coming year will react on our revenue of 1915-16 to the extent of an addition thereto of about £110,000, so that the Imperial deficit becomes £2 million, or more exactly £1,986,000.

**Revised estimate, 1915-16. Ways and Means position.**

“18. I now turn to the ways and means arrangements of the current year. Our Budget programme contemplated the continuance of the temporary loan of £7 million taken from the Gold Standard Reserve in the earlier months of the war and the renewal of the temporary debt, also amounting to £7 million, which had been raised by the Secretary of State in 1914-15 in the form of short-term India bills. Apart from these transactions, our Budget expectations as to the outlay to be financed and the resources by which it was to be covered were as follows:—

		(In millions of pounds.)	
<i>Outlay.</i>		<i>Resources.</i>	
Imperial deficit . . . .	3·0	From balances . . . .	5·0
Provincial deficit . . . .	1·0	Rupee borrowing . . . .	3·0
Capital outlay—		Fresh sterling borrowing . .	6·5
Railways . . . . .	8·0	Famine insurance and miscella-	
Irrigation . . . . .	1·1	neous items . . . . .	0·1
Delhi . . . . .	0·3		
Discharge of debt (India bonds and		Total . . . . .	14·6
Indian Midland Railway debentures)	1·0		
Unfunded debt . . . . .	0·2		
Total . . . . .	14·6		

“19. The opening balance of the year (in India and England together) was estimated at £21·4 million and the closing balance at £16·4 million.

“The actual opening balance has, however, turned out to be £22·7 million. This is mainly accounted for by the fact that the Imperial deficit for 1914-15, which we had taken at £2·8 million, proved to be £1 million less, owing mainly to unexpectedly better receipts under Railways and heavy clearances of Salt towards the close of the year. There was also some further lapse under capital expenditure.

“20. The figures in paragraph 18 will now stand as follows:—

		(In millions of pounds.)	
<i>Outlay.</i>		<i>Resources.</i>	
Imperial deficit ( <i>vide</i> end of para. 17)	2·0	From balances . . . . .	5·0
Provincial deficit . . . . .	0·6	Rupee borrowing . . . . .	3·3
Capital outlay—		Sterling borrowing . . . . .	3·1
Railways . . . . .	4·9	Unfunded debt . . . . .	0·7
Irrigation . . . . .	0·9	Special war receipts . . . . .	1·7
Delhi . . . . .	0·3		
Discharge of debt . . . . .	4·0	Total . . . . .	13·8
Famine insurance and miscellaneous items.	1·1		
Total . . . . .	13·8		

“21. As regards outlay, I have already explained the decrease in the Imperial and Provincial deficits. The Railway programme was reduced by some £250,000 almost at the outset in consequence of pressure from the Treasury at home against undertaking new works. The remaining falling off under this head as compared with Budget anticipations is due to difficulties in obtaining Railway material, etc., from

home and the economies enjoined with reference to the existing financial situation. There is also a minor saving under the Irrigation programme, and a slight excess, which will be explained later on, in the Delhi expenditure.

"The various items that make up the Famine Insurance and Miscellaneous head, instead of almost counterbalancing one another as was anticipated in the Budget, have, on the whole, involved a substantial net outlay, owing mainly to heavier withdrawals of deposits and advances for our troops in the field, and also transactions connected with Council Bills. This head is thus transferred to the outlay side, while on the other hand the entry 'Unfunded Debt' is now expected to yield us a net receipt, and is transferred to the resources side of the account just given.

"Lastly we have applied £3 million of the savings available under the outlay side of our original programme to the reduction by that amount of the £7 million which we temporarily borrowed from the Gold Standard Reserve in 1914-15; and as the Secretary of State's Council drawings have enabled him to discharge this liability at home, the Reserve is thus in a stronger position, actually as well as potentially, in the event of any future weakening in exchange. It will be noticed that this sum of £3 million corresponds roughly to the amount by which, in the special circumstances of the year, we have had to curtail the sum originally destined for Railway capital expenditure, so that that lapse may be regarded as having been employed in the next best way—that of strengthening our general position for the remainder of the war.

"22. As regards resources, the increase of £300,000 as compared with the Budget estimate under rupee borrowing is due to the 50 lakhs received from the special Post Office section of the loan of 1915 to which I shall refer in greater detail later on. On the other hand the net sterling borrowing has fallen from £6·5 to £3·1 million since, in present circumstances, the Secretary of State has only found it possible to raise £3·4 million out of the £6·5 million of fresh sterling borrowing which the Budget calculations took credit for, while he has had to discharge some £300,000 of Railway debentures which he had originally intended to renew.

"Under Unfunded Debt, in view of the heavy withdrawals from postal savings banks in 1914-15, we assumed in the Budget, as a matter of precaution, that there would be further withdrawals amounting to £1 million in the current year, which would, however, be largely counterbalanced by Provident Fund and other deposits. The anticipation of heavy withdrawals has happily not been realized. These amount to £170,000 only, of which £120,000 has gone into the post office section of the new loan. Thus the Unfunded Debt head has yielded receipts amounting (after including the large subscriptions to Provident Funds managed by Government and the accrual of fresh interest on savings bank accounts) to £700,000, instead of a net outlay of £200,000 as anticipated in the Budget.

"We have also obtained certain special receipts arising from war conditions which we are temporarily carrying in our balances. These include £850,000 from the liquidation of hostile firms, and about £700,000 obtained from the employment of captured enemy vessels, as well as a balance on our wheat operations to which I shall refer later, and which we are holding in suspense until the wheat scheme is finally closed.

"The transactions above described bring us to a closing balance of £17·7 million in India and England, exclusive of the amount held in the balance of the Home Treasury on account of the Gold Standard Reserve

### **Budget Estimate of Revenue and Expenditure for 1916-17 on present basis of taxation.**

"23. The following table brings out, on the present basis of taxation, our Budget anticipations for 1916-17, as compared with the Revised Estimate for the current year.

[ In millions of pounds. ]

	Revised, 1915-16.			Budget, 1916-17.		
	Imperial.	Provincial.	TOTAL.	Imperial.	Provincial.	TOTAL.
Revenue . . . . .	51·868	30·638	82·506	52·004	30·548	82·552
Expenditure . . . . .	53·968	31·296	85·264	54·599	30·913	85·512
Deficit (—)	—2·100	—·658	—2·758	—2·595	—·365	—2·960

[1st MARCH, 1916.]

[Sir William Meyer.]

*Revenue—Imperial.*

“24 Assuming a normal south-west monsoon in 1916, we take the Imperial revenue for 1916-17 at £52 million, or about £130,000 more than what we are now expecting in the current year.

“The satisfactory results of the working of the Railways this year justify our assuming a considerably higher return than was considered safe a year ago, and we have put up both the gross receipts and the net revenue by more than £1½ million, as compared with the current year's budget. This head, however, is one under which it is specially necessary to take cautious estimates, since a relatively small percentage of error may lead to a difference in the aggregate sufficient to affect the financial position to a material extent. Even apart from the war and possible further trade restrictions connected therewith, the outlook for 1916-17 is not wholly satisfactory in view of the unfavourable south-west monsoon of the current year and the unsatisfactory winter rains, and we think, after very careful examination, that it is not safe to count on a full repetition of the record railway revenue which we count on obtaining this year. Thus our estimates, for gross receipts (£37·2 million) and for net railway revenue (£16·6 million), are from five to six hundred thousand pounds below the Revised Estimate of the current year, or to be more exact, £610,000 in the case of net revenue.

“On the other hand we expect an increase of more than £400,000 under Opium. This is associated with a brisk demand in the Far East, which has led to an increase in the indents from the Straits Settlements and Hong Kong, whose Governments we supply direct, and has enabled us to raise the upset price of the opium which we sell by auction up to R1,800 a chest with effect from January last, so that we obtain the full benefit of the higher prices throughout 1916-17, as against a part only of the current year. Also, on a re-examination of the existing cost of production, we have somewhat enhanced the charge which we recover from Local Governments for opium supplied to them for excise purposes. We expect, too, a large increase in the demand for the export of opium to England for medical purposes, which has come into being from the shutting down of the Turkish market.

“25. The variations under other heads are less important. In the Imperial share of Land Revenue we expect an improvement of £133,000 as compared with this year's yield, which has been reduced in some tracts by remissions and suspensions following the unsatisfactory monsoon. We allow too for a continued growth of revenue under Posts and Telegraphs, and for a reduction in the assignments of Imperial revenue to Local Governments owing to the absence of certain special contributions given in the current year. Interest receipts also show a substantial improvement owing to a larger investment in respect of the Paper Currency Reserve to which I shall refer at a later stage.

“On the other hand, our Salt revenue is not likely to be again disturbed, as it has been for the last two years, by clearances towards the close of the year with a view to the evasion of a threatened increase in the salt duty; so we cannot count in 1916-17 on the additional revenue obtained this year.

“For Customs as a whole we are practically repeating the Revised Estimate of the current year. We allow for a possible fall in the demand for silver and in the imports of piece-goods, but also for the fact that a considerable improvement is expected under sugar in view of the new tariff valuations, which reflect the high prices arising from the war.

*Expenditure—Imperial.*

“26. On the expenditure side we have to provide for about £600,000 more than in the current year owing largely to increased provision for Postal and Telegraph and Military expenditure, amounting to about £280,000 and £150,000 respectively. In the former case the increase is mainly due to the necessity for replenishment of stores, stocks having been depleted in the current year.

“Under Interest on Debt, there is comparatively little change. As each new rupee loan is raised the interest charges increase; but on the other hand we shall avoid next year a considerable payment of interest to the Gold Standard Reserve through the discharge of £3 million of the temporary loan which we took from it in 1914-15, and there will also be some saving, which I shall explain later on,

in respect of sterling India Bills. There will, however, be some increase in the interest on capital deposited by Railway companies, as a whole year's interest payments will fall due upon their borrowings (through the Secretary of State) in the current year.

"27. We estimate the net expenditure on military services at £22 million, against £21·8 million in the Revised Estimate for the current year. We shall be relieved in 1916-17 of certain arrear charges which we had to meet this year—*vide* paragraph 14 above. But in view of sudden military requirements which are likely to arise in a time of war, such as contributed to the large excess over our Budget Estimate in the current year, we think it only prudent to provide for some moderate reserve to meet such unexpected and minor contingencies.

"I may mention here that, speaking very roughly—for the actual readjustment of charges in respect of the many units involved is an exceedingly complicated matter, and calculations are liable to further disturbance by changes in the strength and composition of the expeditionary forces fighting outside India—our contribution to His Majesty's Government in respect of the cost of the troops we have furnished for fighting the battles of the King-Emperor outside his Indian dominions will amount to about £11 million from the commencement of the war up to the 31st March 1916, and may be provisionally taken at £8 million for 1916-17. The amount is increasing with the additions which have from time to time been made to the contingents originally furnished by India. We have also during this period incurred a considerable outlay in India, which would not have come upon us but for the war.

"28. Taking Imperial revenue and expenditure together, and still adhering to the present basis of taxation, our deficit for next year is likely to be £2·6 million, against £2·1 million estimated in present conditions for 1915-16, and £1·8 million which actually occurred in 1914-15, the first year of the war.

*Revenue and Expenditure—Provincial.*

"29. The Provincial revenues are taken in the new Budget at £30·5 million, and the expenditure at £30·9 million, the deficit, to be met by drawings on Provincial balances, being thus restricted to about £400,000.

"A small deterioration of £90,000 under revenue, as compared with the Revised Estimate, is due to non-recurrence of the special assignments of Imperial revenue mentioned in paragraph 13, partly counterbalanced by some expected recovery under the Land Revenue head following the depression of the current year. The further curtailment of expenditure amounts to about £400,000, this being effected by retrenchment in public works outlay. With the further prolongation of the war, economy in every direction is imperative, and the Local Governments, as I have already said, have co-operated most cordially and effectively in this policy.

"30. It will, however, be seen from the following statement, which brings together the Provincial outlay under the heads Education, Medical and Civil Works for the last few years, that the retrenchments which have been made under Education and Medical are not in any way of a sweeping character. The Medical head of course includes sanitation outlay.

[In thousands of pounds.]

Year.	Education.	Medical.	Civil Works.
1911-12 . . . .	1,968	1,088	4,619
1912-13 . . . .	2,490	1,142	4,936
1913-14 . . . .	3,056	1,199	5,950
1914-15 . . . .	3,182	1,362	6,128
1915-16 . . . .	3,270	1,299	4,892
(Budget).			
1915-16 . . . .	3,064	1,351	4,586
(Revised).			
1916-17 . . . .	3,187	1,318	3,945
(Budget).			

"It will thus be observed that the Education and Medical expenditure is still on a somewhat higher level than in the pre-war year, 1913-14, and, as regards Education, much above the outlay in the years 1911-13. There has been a very considerable

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retrenchment under Civil Works as is only natural, since this head works as a regulator of Provincial finance, enabling expansion of expenditure when times are good and reduction when they are bad.

*General Results—Imperial and Provincial.*

“31. Reverting to the table in paragraph 23, we estimate that, on the present basis of taxation, the total revenue, Imperial and Provincial, for 1916-17 will be £82·5 million and the total expenditure £85·5 million, resulting in an Imperial deficit of about £2·6 million, and a Provincial deficit of about £400,000. The latter, as I have said, will be met by drawing on the balances at the credit of Local Governments. We have now to consider how the Imperial deficit is to be faced.

**Additional taxation proposals.**

“32. In dealing with the Budget for the current year we determined, with the approval of the Secretary of State, not to impose any additional taxation with reference to the large deficit then anticipated for 1915-16 and that of 1914-15. Though assuming continuance of the war during 1915-16, we were not at that time warranted in anticipating its long duration thereafter, and we therefore found our requirements for the time being by temporary and exceptional measures. We renewed temporary borrowings to the extent of £7 million which we had made from the Gold Standard Reserve in 1914-15, and the Secretary of State did the same in regard to short-term India bills to a like amount which he had raised in London. It was also proposed that the Secretary of State should raise about £6½ million by fresh borrowing at home while we were to issue a rupee loan of £3 million in this country. Even so, however, we had to reduce our programme of Railway and other capital expenditure from about £14 million, the sum taken in the Budget for 1914-15, to £9·4 million. Circumstances are now altogether different. We must assume that the war will continue for yet another year, and, it may be, longer. The Secretary of State has been unable, owing to the financial situation at home, to raise the full amount of the fresh borrowing in London contemplated for this year, and it has become our evident duty to provide for our own requirements without outside assistance, while the supplying capacity of the Indian money market is limited. We have also to recollect that the termination of the war, when it comes, will leave us with heavy financial demands upon us. We shall still, in all probability, have a large amount of temporary debt to pay off, and must also prepare for the liquidation of the rupee loan raised this year, which has to be repaid by 1923. We shall likewise have to surrender nearly £2 million which we shall have received in connection with the liquidation of hostile firms and the employment of captured enemy vessels and are using temporarily to meet our own requirements. On the revenue side, again, we must recognise that the experiences and lessons of the war must also add in some directions to our permanent military charges; and, lastly, it is desirable that we should be in a position, when peace returns, or as soon after as may be, to provide further funds for such beneficent purposes as the improvement of education and sanitation.

“In paragraph 54 of my speech introducing the Financial Statement for 1915-16, I said that the Government would not hesitate to resort to increased taxation to meet a deficiency in revenue which promised to be of a more or less abiding character. That contingency has now to be faced. The war continues, and we cannot go on, year after year, with uncovered deficits. We consider it essential in the present uncertain outlook to increase our revenue resources in order to make good the anticipated Imperial deficit of the coming year and also to supply a substantial surplus. I now proceed to indicate the methods by which, with the approval of His Majesty's Government, we propose to effect this.

“33. In the first place we propose to raise a sum of about £2·1 million by new and enhanced customs duties in the manner which I now proceed to explain:—

“Our general import tariff has been at the rate of 5 per cent *ad valorem* since 1894. We now propose, save in the case of sugar, to raise it to 7½ per cent *ad valorem*, and we hope thereby to get an increase of revenue of about £420,000, excluding the duty on metals which I deal with later. In this, as in other cases, I have, in calculating enhanced receipts, made allowance for decrease in consumption following the higher rates.

“In the case of sugar, in view of the large imports of this article and India's facilities for internal supply, we consider that we shall not be inflicting any real

hardship on the consumer by fixing the import duty at 10 per cent, by which we hope to raise an extra £400,000.

“34. Next we propose a material curtailment of the free list. The present list is based partly on the existing tariff law and partly on executive concessions, with the result that revenue is being unnecessarily surrendered, and the increasing range of exemption encourages applications for still further concessions. We propose hereafter to confine the statutory free list to the following items:—

“*First.*—Gold coin and bullion; and current Indian silver, nickel, bronze and copper coin.

“*Second.*—Certain essential materials—raw hides and skins, raw cotton, raw wool and paper-making materials.

“*Third.*—Certain agricultural requisites—machines and implements for husbandry, dairy appliances, and manures, including certain chemical manures.

“*Fourth.*—Certain articles, the exemption of which follows logically from our practice of levying an excise on cotton goods and beer, namely, cotton yarns and cotton thread, cotton spinning and weaving machinery, certain stores and articles used in the manufacture of cotton goods, and hops.

“*Fifth.*—A few specific articles, the exemption of which is either (a) supported by the practice of most countries—animals, works of art devoted to public purposes, books, natural science specimens, uniforms of public servants and military officers, and arms forming part of their equipment; or (b) justified by their special importance in Indian conditions—quinine and anti-plague serum.

“We have further included in the statutory free list the conditional exemption hitherto granted by executive instructions to salt imported for manufacturing purposes; and also the exemptions in favour of oil-seeds imported by sea from a Native State, and in regard to the professional equipment imported by passengers, trade catalogues and circulars imported by post, and second-hand gunny bags.

“35. The following articles now on the free list will hereafter pay duty at  $2\frac{1}{2}$  per cent *ad valorem*, which will still leave them 5 per cent below the general tariff rate:—

“Grain and pulse; tea chests and lead sheets used in their manufacture, and tea racks; firewood; printing and lithographing material; machinery other than the cotton spinning and weaving machinery above indicated; railway material, including telegraphic apparatus imported for railways; and ships. Coal, coke and fuel will be taxed at a quantitative rate of 8 annas per ton, which is roughly equivalent to  $2\frac{1}{2}$  per cent *ad valorem*.

“While taxing grain and pulse at  $2\frac{1}{2}$  per cent in ordinary circumstances, the Government will be prepared, when necessary, to consider the question of exempting them by executive order in famine years.

“Railway material imported by railways worked by the State is, and will remain, free under section 20 of the Sea Customs Act, as Government stores. Railway material for other railways, including those owned by the State but leased to Companies, will be taxed at  $2\frac{1}{2}$  per cent. The taxation of this latter class of railway material follows logically on the proposed equivalent taxation of machinery and ships, these three groups of imports having always been equally treated.

“36. The remaining articles now on the free list, which have got on to it more or less accidentally, and in regard to which there is no reason either for complete exemption or specially favourable terms, will be taxed at  $7\frac{1}{2}$  per cent under the general tariff rate. These are fresh fruits and vegetables, fish maws, bamboos, bristles and fibres, horn, raw jute, oil cakes, plants, precious stones and pearls, gum olibanum, motor cars for goods, and earth, common clay and sand.

“37. The above modifications of the existing free list are estimated to give us £160,000.

“38. The duty on iron and steel, which is now one per cent *ad valorem*, will be raised to  $2\frac{1}{2}$  per cent; and that on other metals, which is now 5 per cent, will go up to  $7\frac{1}{2}$  per cent, following the increase in the general rate on imports. These increases will yield about £80,000.

“39. I now come to articles which are subject to special rates of duty under the existing tariff. We propose, as I shall explain directly, to enhance the existing rates in the case of arms, liquors, tobacco and silver manufactures. I shall then briefly refer

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to some articles on which we propose to leave the existing tariff rates untouched, and finally pass on to two important additions to our list of dutiable exports.

“40. As regards arms and ammunition, the effect of the present tariff is, generally speaking, that these are ultimately taxed at a rate of 10 per cent *ad valorem*. We propose to double this, the additional revenue expected being some £20,000.

“41. The taxation of liquors involves considerable complications, so I will deal with the matter class by class—

“(1) The duty on ale, beer, porter and cider is now 3 annas per gallon against 8d. per gallon in England. We propose to raise this to 4½ annas, and, in accordance with the usual practice, to make a similar increase in the excise duty on locally manufactured beer.

“(2) The rates on spirits will be recast as follows, and the rate now prescribed for potable spirit will, again in accordance with previous practice, apply to spirit of the same description manufactured in India and technically known as “foreign spirit”

(a) Perfumed spirit, per liquid gallon R18-12.

(b) Liqueurs, cordials, mixtures and other preparations containing spirit—  
(1) if entered in such a manner as to indicate that the strength is not to be tested, R14-10 per liquid gallon; (2) if tested, R11-4 per proof gallon.

(c) Spirit which has been rendered effectually and permanently unfit for human consumption, 7½ per cent *ad valorem*.

(d) Spirit, other sorts, per proof gallon R11-4.

“(3) In explanation of these proposals I may observe that :—

(a) The rate on potable spirit, which is of course much the most important item, is to be raised from R9-6 to R11-4 per proof gallon so as to bring the Indian rate of duty to the level of the English rate, which is approximately 15 shillings per proof gallon.

(b) The preferential rate of R7-13 per proof gallon which was accorded by the tariff of 1910 to spirit contained in drugs, medicines or chemicals is now to be withdrawn. This preferential rate evoked protests from manufacturing chemists in India, who had to pay for imported spirit required by them for the local manufacture of drugs at the rate applicable to potable spirit, and were therefore placed at a disadvantage compared with manufacturing chemists outside India. To remove this disability administrative arrangements have been in force since 1910 under which Indian manufacturing chemists have been able to obtain spirit at the rate of R7-13 per proof gallon. We propose to adjust these difficulties, and at the same time to obtain a larger revenue, by taxing the spirit now in question at the same rate as potable spirit.

(c) Similarly, administrative difficulties have arisen in connection with the treatment prescribed in 1910 for the assessment of liqueurs, cordials and perfumed spirit and toilet preparations. The proposals now put forward follow closely the procedure adopted in England in the treatment of these spirituous preparations. A higher liquid gallon rate, *viz.*, R18-12, corresponding to the English rate of £1-5, is proposed for perfumed spirit; and a somewhat lower liquid gallon rate is proposed for all spirit not tested, other than perfumed spirit. The present position is that perfumed spirit pays R13 per liquid gallon, while liqueurs, etc., pay at the same rate, and without any statutory option of test with reference to proof strength, an omission which weighs unduly on the weaker liqueurs.

“(4) The duty on champagne and sparkling wines now stands at R3-12 per gallon, which it is proposed to raise to R4-6, while the duty on still wines will be increased from R1-8 to R1-12 per gallon. The imports of these articles are on the decline, and it is thought that a higher rate would not be fiscally productive. The increase we are now making is, moreover, proportionately nearly the same as that which we propose under spirits.

“(5) We estimate that we shall get about £130,000 from the above proposals, inclusive of £20,000 from the excise on beer and spirits.

“ 42. The present rates of duty on tobacco, cigars and cigarettes are as follows :—

	R	A.	P.	
On unmanufactured tobacco . . . . .	1	0	0	per lb.
On cigars . . . . .	1	10	0	„
On cigarettes weighing 3 lbs. or more per 1,000 . . . . .	1	4	0	„
On cigarettes of less weight . . . . .	3	2	0	per 1,000.
On manufactured tobacco, other sorts . . . . .	1	2	0	per lb.

“ 43. (1) We leave the rate on unmanufactured tobacco unaltered, as the present duty is approximately 100 per cent *ad valorem*.

“ (2) The quantitative rate on cigars and cigarettes is to be replaced by an *ad valorem* rate of 50 per cent. In the case of cigars this rate may be taken as equivalent to an increase of about 30 per cent on the present quantitative rate. As regards cigarettes, the aggregate duty collections now represent approximately 30 per cent of value; but the present quantitative rate presses heavily on the very cheap brands, invoiced at R6-14 a thousand, which form the bulk of the imports. The duty represents, in their case, 45 per cent of value, while in the case of a large number of the better brands of cigarettes, particularly those imported from Egypt, the proportion of duty to value is considerably less, running between 9 and 35 per cent. A certain amount of inconvenience and loss is also caused to importers by the necessity of weighing the cigarettes to ascertain the duty leviable at the quantitative rates. The substitution of an *ad valorem* rate will thus have the double effect of drawing some additional revenue from the better class of cigarettes without adding materially to the burden on the cheaper class, and of removing the practical difficulties in applying the present quantitative rates.

“ (3) We propose to raise the rate on manufactured tobacco, other sorts, from R1-2 to R1-8 per lb., which will be roughly proportionate to the increase of duty in the case of cigars.

“ (4) We hope to get about £30,000 from these changes in connection with tobacco.

“ 44. We do not propose any increase in the duty of 4 annas an ounce imposed on imported silver in 1910, which represents an *ad valorem* rate of some 15 or 16 per cent. In the case of silver manufactures, however, which at present come under the general tariff, we propose to make a change, to remove a disability under which Indian silversmiths labour. They have now to pay duty at 4 annas per ounce for the silver required for the manufacture of their goods, while silverware and silver thread imported into India only pay duty at the general rate. We now propose that where the importer can give the Collector of Customs proof as to the silver contents of an article made or partly made of silver, the duty on such silver contents shall be at the rate applicable to silver, namely 4 annas per ounce, the residual value of the article being taxed at  $7\frac{1}{2}$  per cent. Where, however, no such proof is forthcoming, the whole duty will be at 15 per cent *ad valorem*. Executive instructions will, however, issue exempting from this special tax articles which only contain an inconsiderable proportion of silver.

“ 45. We are not modifying the duty of  $1\frac{1}{2}$  annas a gallon imposed on imported petroleum in 1910, which is equivalent to some 20 per cent *ad valorem*. We also leave the export duty on rice unaltered. I shall refer presently to the case of salt.

“ 46. The only other important item in the existing tariff on which I have not yet touched is cotton manufactures. For the last 20 years the position has been that cotton twists and yarns of all kinds are free of duty, while a duty at the rate of  $3\frac{1}{2}$  per cent is imposed on woven goods of all kinds, whether imported or manufactured in Indian mills. We propose to leave the position here as it stands.

“ The Council will naturally ask why, at a time when fiscal necessities compel us to make a material enhancement of the tariff in nearly every other direction, we should leave cotton alone. Well, the Government of India have not failed to represent their view that there should be a material increase in the cotton import duties, while the cotton excise, which has formed the subject of such widespread criticism in this country, should be left unenhanced, subject to the possibility of its being altogether abolished when financial circumstances are more favourable. But His Majesty's Government, who have to consider the position from a wider standpoint, felt that the raising of this question at the present time would be most unfortunate, as it would

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provoke a revival of old controversies at a time when they specially desired to avoid all contentious questions both here and in England, and might prejudice the ultimate settlement of the larger issues raised by the war. His Majesty's Government feel that the fiscal relationship of all parts of the Empire as between one another and the rest of the world must be reconsidered after the war, and they desire to leave the question raised by the cotton duties to be considered then, in connection with the general fiscal policy which may be thought best for the Empire, and the share, military and financial, that has been taken by India in the present struggle. His Majesty's Government are aware of the great interest taken in this question in India and of the impossibility of avoiding some reference to it when new taxation has to be raised, but they are confident that their decision is in the best interests of India and that premature discussion of this particular issue could only be harmful. We fully realise the force of these arguments at the present juncture, and consequently we are reluctantly compelled not to propose any modification in respect of the cotton duties.

"47. Our final proposal connected with the tariff is the imposition of an export duty on two important staples, namely, tea and jute. Both these industries have been specially prosperous during the war, and in the case of jute I think there is already a considerable consensus of opinion that if the financial situation created by the war should necessitate heavy additional taxation, this is one of the first articles which might legitimately be taxed. The case of tea is hardly less strong, especially in view of the fact that, in spite of its largely industrial character, the tea business has for 30 years been exempted from income tax.

"I may add that in the case of tea, we have a precedent for special taxation in the recent action of the Ceylon Government, which, after the war broke out, imposed an export duty of Rs 1½ per 100 lbs. We propose to follow this example and adopt the same rate, a measure which is estimated to produce some £300,000 of revenue in the coming year. Our proposals contemplate, however, the exemption of forward contracts entered into before the present date. We also propose to exempt tea waste.

"48. Jute is an article which can well bear a special rate of export duty, not only because of the present prosperity of the trade, but in view of the monopoly which India has in this product. The only existing special taxation on jute is a small cess levied in Calcutta and Chittagong, the proceeds of which go to the Improvement Trust in the case of Calcutta, and the local Port Trust in the case of Chittagong. It was accepted, however, when these cesses were imposed, that they were not to prejudice any future claim of Government to tax jute for our Imperial purposes.

"Our present proposal is to tax both the raw and the manufactured article. In the case of raw jute we contemplate a general rate of Rs 2-4 per bale of 400 lbs., which is approximately equivalent, at present prices, to an *ad valorem* duty of 5 per cent. There are, however, certain classes of jute, known technically as "cuttings" and "rejections", which are of much smaller value, and we therefore propose a special rate of 10 annas per bale on cuttings and Rs 1-8 on rejections.

"Manufactured jute falls under two main classes, known to the trade as sacking and hessians, respectively. We propose a duty of Rs 10 per ton on sacking and Rs 16 per ton on hessians—a rate which, in each case, corresponds approximately to the taxation, at 'raw jute' rates, of the material used in the production of the goods.

"49. We propose, however, following the spirit of section 20 of the Sea Customs Act, to exempt from this duty manufactured jute which is exported under specific demand from His Majesty's Government, *i.e.*, in pursuance of War Office contracts.

"Also, as in the case of tea, we propose to exempt forward contracts entered into before the present date, a concession which will appreciably diminish the revenue to be obtained from the new duty in the first year. We estimate this at about £580,000.

"50. The tariff changes above indicated will apply to external trade by land, from which another £30,000 is expected, as well as to that by sea. In the aggregate, they are estimated, as I have already stated, to bring in a total increased revenue of about £2.1 million. I shall, during the present sitting, introduce a Bill embodying the legislation required, and I shall ask Your Excellency's permission to suspend the rules of business so as to admit of the immediate nomination of a Select Committee thereon and an instruction to them to report at a very early date. It will be readily

understood that it is most essential to get the fiscal changes which we propose passed into law as soon as possible, and with effect from the present date, since otherwise there would be large clearances of goods to avoid the higher duties.

"51. The next source from which we propose to derive increased revenue is Salt. Between 1888 and 1902 salt was, generally speaking, taxed at  $\text{Rs } 2\frac{1}{2}$  per maund. Then a cycle of prosperity permitted a gradual reduction of the duty to  $\text{Rs } 2$  per maund in 1903, to  $\text{Rs } 1\frac{1}{2}$  in 1905, and to  $\text{Rs } 1$  in 1907, at which figure it now stands. The maund on which this duty is calculated is a little more than 82 lbs. ; consequently, the existing rate amounts to only about one-fifth of an anna per lb

"Enhancement of the salt tax has always been looked on as a reserve to be utilised when war or other financial calamities should come upon us, and in making the reductions of the tax which I have noted above our predecessors had in view the increase thus afforded in the potentialities of this reserve. It is only natural, therefore, that in the present situation we should turn to an increase in the salt duty. On the other hand, it has to be remembered that the duty is largely paid by the poorer classes; and that the increases proposed in our customs tariff will to some extent fall upon poor consumers. In the interests of the poor, therefore, we propose to make only a very small increase in the salt tax, *i.e.*, to increase it from  $\text{Rs } 1$  to  $\text{Rs } 1\frac{1}{4}$  per maund. This rate will still be less than that levied only nine years ago, and the taxation will now amount to about  $\frac{1}{4}$  anna per lb. We estimate the extra revenue obtainable from this increase in 1916-17 at  $\text{£}600,000$

"It may interest the Council in this connection to be informed that Italy, too, derives a considerable amount of revenue from salt. This was put down in the Italian budget for 1914-15 at the equivalent of  $\text{£}3\cdot6$  million, and the taxation has recently been raised so as to bring in another  $\text{£}800,000$ . Our salt revenue on the present basis of taxation is estimated at  $\text{£}3\cdot4$  million, and with the extra duty at  $\text{£}4$  million. Italy, therefore, is raising rather more than we do from salt, and from a population which is about one-seventh of that of British India.

"52. Here, too, it is necessary to apply the increase to imported and, generally speaking, to locally produced salt, with effect from the 1st March. The enhancement of salt duty will not require special legislation. It can be effected under the law by notification by the Governor General in Council.

"Locally produced salt in Burma has hitherto been taxed at less than the general rate of duty, though the tendency has been gradually to work up to this. We shall consider later whether the present enhancement should not also involve a proportionate increase in the special Burma taxation.

"53. I now come to Income Tax, in regard to which I may first note that this term now replaces the old designation 'Assessed Taxes' in Heads VIII and 10 of our Revenue accounts, since there is at present no other tax to reckon with under these heads. The first general income tax for British India was enacted in the year 1860, and it may be noted that all incomes above  $\text{Rs } 500$  a year paid 4 per cent, or about 8 pies in the rupee, and that profits on land were assessed, except in the case of cultivators of land whose rent value was less than  $\text{Rs } 600$  per annum. This Act had a short life, but it was succeeded by various other income tax and license tax enactments, ending with the present Income Tax Act of 1886.

"54. The main features of this Act are as follows. It exempts—

- (a) Incomes derived from land assessed to land revenue and from agriculture.
- (b) Incomes derived from property solely employed for religious or public charitable purposes.
- (c) Salaries of officers and soldiers employed in a military capacity, when these do not exceed  $\text{Rs } 500$  a month, or  $\text{Rs } 6,000$  a year.
- (d) All incomes which would otherwise be taxable if these are less than  $\text{Rs } 1,000$  a year.

"The last exemption originally stood at  $\text{Rs } 500$ , but this limit was raised to  $\text{Rs } 1,000$  in 1903. With the exception of that change, the Act of 1886 has remained in force to this day.

"The taxation arrangements which it authorises are as follows :—

"Salaries and pensions are assessed at 4 pies in the rupee if between  $\text{Rs } 1,000$  and  $\text{Rs } 1,999$  per annum. If above that amount, they pay 5 pies in the rupee,

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“Other incomes, derived from sources outside profits of companies and interest on securities, if they are between R1,000 and R1,999, pay on a scale of fixed rates which varies from R20 to R42, and approximates roughly in its total effect to a 4 pie rate. Incomes of R2,000 or upwards similarly derived pay at the 5 pie rate

“Profits of companies are uniformly assessed at 5 pies in the rupee. The same rate is levied upon interest on securities; but here the holder may get an exemption or a rebate at the 4 pie rate, as the case may be, if he can prove that his income from all sources is less than R1,000, or falls between R1,000 and R1,999.

“55. Speaking generally, therefore, our normal income tax rate is 5 pies in the rupee, which is about equivalent to 6d. in the pound, and it may be noted that, when the Act was introduced, the English income-tax stood at 8d. in the pound.

“Since then, as is well known, very great changes have been made in the English income tax: the principle of graduation has been introduced, the rates have been very much raised, and since 1910 there has been a super-tax which is now levied on incomes above £3,000. In 1914, just before the war—the super-tax apart—the rates of income tax ranged from 9d. to 1s. 3d. in the pound. These were doubled after the war, and in 1915 there was a further increase of 40 per cent on the previously doubled rate, while the limit of exemption was reduced and the scale of previous abatements cut down. The English income tax, apart again from the super-tax, may, therefore, now be said to run from 2s. 1d. to 3s. 6d. in the pound. The contrast afforded by India is thus very marked.

“Now it is not necessary, or desirable, to propose any such heroic measures as those which have been forced upon Chancellors of the Exchequer in England; but our income-tax here is undoubtedly very low, and there will be general agreement, I think, that, at a time when it has become necessary to increase taxation materially, and to hit the poor in some measure by the raising of the salt tax, more money should be exacted from the incomes of the relatively well-to-do.

“56. Our proposals for obtaining more money from the income-tax are as follows:—

(a) We propose to leave all existing exemptions untouched, and also to make no alteration in the taxation of persons whose incomes, official or private, are less than R5,000 per annum.

(b) In the case of incomes under Parts I and IV of Schedule II of the Act, *i.e.*, salaries and pensions, and incomes from the “other sources” mentioned above, which exceed the last-mentioned sum, we propose to enhance the tax in the following way:—

(1) Incomes from R5,000 to R9,999 will pay 6 pies in the rupee, or 7½d. per pound.

(2) Incomes from R10,000 to R24,999 will pay 9 pies in the rupee, or 11¼d. in the pound.

(3) Incomes of R25,000 and upwards will pay 1 anna in the rupee, which is equivalent to 1s. 3d. in the pound.

(c) Profits of companies will be assessed at the 1 anna rate; but this will be subject to abatement, or exemption, to individual shareholders who can show that their total income is such as to warrant a lower rate of taxation or none at all. Thus a shareholder whose income is less than R1,000 per annum from all sources would obtain a refund of the entire tax previously recovered on his dividends; a man whose total income is R5,000 would obtain a refund of the amount recovered in excess of the 6 pie rate; and so on.

“We also propose, following what we are advised to be the correct construction of the law as it stands at present, as well as the actual practice in some provinces, to exempt altogether (as would be the case if it were a matter of an individual) the profits of companies which amount to less than R1,000.

(d) Interest on securities will be taxed similarly, *i.e.*, the initial rate will be 1 anna, but the holders can obtain refunds of the whole or of part of the sum recovered with reference to their actual income of all kinds.

“57. The total number of income tax assesseees in 1914-15, counting companies as persons, was about 332,000. Of these about 216,000 were assessed on incomes between R1,000 and R1,999, and 79,000 between R2,000 and R4,999. Consequently, no less

than 295,000 of the present assesseees will be unaffected by the new rates of taxation we propose, which will fall on the 37,000 who are relatively well-to-do. Of these, again, about 24,000, on incomes between Rs5,000 and Rs9,999, will only have their tax increased by 1 pie on the rupee.

"58. We expect in all to get £900,000 from this increased taxation. Here again I shall introduce a Bill to-day making the required amendments in Act II of 1886. But in this case it will not be necessary, as in regard to salt and customs, to make the new taxation applicable before the 1st April 1916. Arrears of income tax not paid by that date, but recovered subsequently, will be assessed at the old rates. The new rates will apply to all income the tax on which has not actually become due till the 1st April.

"I may add that we propose to restrict the amendments of the Income Tax Act to those which are necessary to carry out the new scheme of taxation I have outlined. There are other matters, no doubt, in respect of which the existing Act might suitably be amended or made clearer, but these can wait till a season of greater leisure.

"59. Lastly, I may explain that under the terms of the existing financial settlements with the provinces, income tax is a divided head, and the additional revenue accruing from our proposals will thus be shared between Imperial and Provincial. But as this additional taxation is imposed solely for Imperial purposes, the amount which technically accrues to the provinces will be set-off by a counter-adjustment from Provincial to Imperial under the head 'Transfers between Imperial and Provincial Revenues.' The same procedure was followed in 1910 in respect of the additional taxation then imposed under 'Stamps' and 'Excise.' A like adjustment will also be made on this occasion in respect of that portion of the additional duty on locally produced beer and 'foreign spirit' which will be credited to Provincial revenues under the terms of the settlements

"60. I now sum up the financial effect of the proposals above explained. We intend to get an additional revenue of—

- (a) £2,150,000 from Customs and consequential changes in the excise duties on liquors.
- (b) £600,000 by an enhancement of the duty on Salt.
- (c) £900,000 by an increase under Income Tax.

Or in all a little over £3·6 million as against an estimated Imperial deficit of £2·6 million. This leaves us with a surplus of £1,052,000 which, though somewhat less than we have aimed at in the years just preceding the war, will supply a useful and much needed source of strength against the contingencies which face us in the future.

"The imposition of a portion of our proposed taxation from 1st March (*vide* paragraph 58) will also yield about £110,000 in the current year, thus diminishing (as I have already noted) the Imperial deficit for 1915-16 indicated in paragraph 17 to about £2 million.

"61. Consequently the statement given in paragraph 23 must be taken as superseded by the revised statement below, which shows our revenue and expenditure position for 1915-16 and 1916-17 as determined by the taxation measures above expounded.

[ In millions of pounds. ]

	Revised, 1915-16.			Budget, 1916-17.		
	Imperial.	Provincial.	Total.	Imperial.	Provincial.	Total.
Revenue . . .	<b>51·982</b>	30 638	82·620	<b>55·651</b>	30·548	86·199
Expenditure . . .	<b>53·968</b>	31·296	85·264	<b>54·599</b>	30·913	85·512
Surplus + or deficit — .	<b>—1·986</b>	—·658	—2·644	<b>+1·052</b>	—·365	+·687

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[ *Sir William Meyer* ]**Rupee borrowing.**

“62. Before I pass on to the general ways and means arrangements for the coming year, it will be desirable to make a few remarks on the subject of our rupee borrowing.

“In paragraph 56 of my speech introducing the last Financial Statement I announced our intention of raising a loan of £3 million ( $4\frac{1}{2}$  crores) in India in the current year, the time and the best method of borrowing being reserved for later consideration.

“The internal conditions in India were generally favourable at the period of the year when we usually take into consideration the question of issuing a new loan. Trade was slack and money easy; the balances of the Presidency Banks stood at a high level; and though there was little demand for rupee securities and the market was extremely sensitive, the floating supplies of paper were reported to be small and its price had been comparatively steady. The situation was, however, entirely changed by the announcement, on the 21st June last, of the flotation of a British war loan for an unlimited amount carrying interest at  $4\frac{1}{2}$  per cent, with valuable privileges to subscribers in respect to the conversion of holdings in the previous  $3\frac{1}{2}$  per cent war loan, consols and annuities, into stock of the new war loan. This produced an immediate drop in the price of our  $3\frac{1}{2}$  per cent paper, and it became clear that more favourable terms than we had previously contemplated would have to be offered if a loan of the amount announced in the Budget were to be successfully floated, while the increasing difficulties in raising further loans in London on behalf of India rendered it impossible to reduce the Indian borrowing.

“The line of action to be followed in these conditions formed the subject of anxious deliberation on our part and, after discussion of the question at an informal conference which I held with the representatives of the three Presidency Banks, it was decided to fix the rate of interest at 4 per cent and to offer at par a short-term issue which would be redeemed after eight years in any case, while the Government reserved the right of redeeming it at any time after five. Political and financial circumstances rendered it most undesirable to take any risk of the loan proving a failure, and accordingly it was arranged that the Presidency Banks should underwrite the entire loan, and should in any case subscribe for a minimum sum of  $\text{R}1\frac{1}{2}$  crores, in return for a commission of 1 per cent on the amount of the loan. The loan as thus settled was notified on the 28th July last and subscriptions were invited between the 2nd and 17th August, these being receivable at the head offices of the Presidency Banks and their branches, and at all places at which we have account offices, instead of as formerly at the presidency towns only. Considering the moderate amount of interest offered and the conditions prevalent, the loan was wholly successful, being oversubscribed by more than two crores.

“63. We also initiated an important new departure in the direction of trying to bring the Government into more direct touch with small investors by issuing a supplementary section of the loan to be subscribed for through Post Offices. The loan proper was to be subscribed by the 17th August, but the Post Office section, into which subscriptions of any amount (in even hundreds of rupees) from  $\text{R}100$  to  $\text{R}5,000$  were receivable, remained open till the end of October, and all the amounts tendered through it were taken in full. Special arrangements were made for wide publication of the terms on which applications would be received through the Post Office, by notices and brief posters exhibited in post offices, treasuries, and district offices, and by advertisements inserted in newspapers, English and vernacular.

“The total amount thus realised was about  $\text{R}50$  lakhs, or  $\text{£}333,000$ , and of this amount only about 18 lakhs represented withdrawals from existing savings banks accounts (which so far gave us the advantage, in present circumstances, of transfer of liability from a call account to one which we need not liquidate for some years), while the remaining 32 lakhs was new money lodged with Government. Of the total, 21 lakhs was obtained from Europeans, 26 lakhs from Indians, and 3 lakhs from banks and public bodies.  $\text{R}6$  lakhs represented individual applications not exceeding  $\text{R}500$ , while out of a total of some 4,250 applications, over 500 were for the minimum amount possible, *viz.*,  $\text{R}100$ . It is also interesting to note that in all nearly three lakhs of rupees, representing some 300 applications, came from Indian ladies. As further evidence of the extent to which this section of the loan tapped sources which would otherwise not have been available, it may

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be mentioned that about 40 per cent of the total was applied for through sub and branch post offices in the mofussil.

“The total amount obtained may seem small, but I would remind the Council that 50 lakhs is a quarter of the total rupee loan issued so recently as 1911-12, and one-third of that which was issued in 1910-11. Considering the novelty of the experiment, the troubled times, and the innate conservatism of the bulk of the Indian people, I hold that this Post Office loan operation has been a marked success, and has justified us in making the procedure a permanent one. We shall also consider, in respect of future issues, the desirability of further simplifying methods so as to avoid some local difficulties and misapprehensions which this year's experiment brought to notice.

“64. I now come to our borrowing programme for the next year. That must take place entirely in this country, since, as I have already indicated, we cannot, in the interests of the Empire, set foot on the borrowing market at home. The position of  $3\frac{1}{2}$  per cent paper is also a very relevant factor in this connection. I referred last year with legitimate satisfaction to the strength of that paper, but since then it has fallen greatly. At the beginning of the present financial year its selling price was Rs92 $\frac{1}{2}$ . In December and January, however, it fell rapidly to the neighbourhood of Rs80; and in spite of some recovery subsequently, it has recently stood about eight points below the opening price of the year. That is, of course, a very serious matter for the holders of Government paper, and various suggestions have been made, in the press and otherwise, that we should assist them by the conversion of the whole of our  $3\frac{1}{2}$  per cent debt, which at present stands at about £92 million, into a 4 per cent security. This would involve a very considerable burden to the general taxpayer, which I am certainly not prepared to impose upon him. Nor can I admit that the Government can be held responsible for such unforeseen falls in securities, Government or other, as have taken place by reason of the war and the higher rates of interest which it has brought about. On the other hand, the Government cannot look with indifference on a large depreciation of the price of the premier security of India, or ignore the grave difficulties which such depreciation, if unremedied, will place in the way of their own future borrowings, especially in the coming year

“65. Consequently, after very careful deliberation, and with the approval of the Secretary of State, we have decided to do something for the holders of our existing Government paper which will be in our own, that is in the public, interests as well as theirs. In view of our ways and means requirements, and to strengthen our position generally, we consider that we should raise not less than £4 million in India next year, outside the amount which we may get from the Post Office section of our loan. To facilitate this we propose that subscriptions to our new loan should carry with them the privilege of converting an equivalent amount of  $3\frac{1}{2}$  per cent paper on favourable terms, by which I mean terms that will be better than the arithmetical result of a comparison between  $3\frac{1}{2}$  per cent interest and the higher rate which we shall have to pay for the new loan: *e.g.*, if our new loan is issued at 4 per cent, the conversion rate for  $3\frac{1}{2}$  per cent paper will be higher than Rs87 $\frac{1}{2}$ . This privilege will also cover the conversion of our remaining 3 per cent paper on terms proportionally equivalent to those fixed in respect of the  $3\frac{1}{2}$  per cents. Thus a subscriber of say one lakh of rupees to the new loan will thereby obtain the right, which we shall allow him to transfer, to obtain another lakh by the conversion, on such terms as may be decided on, of  $3\frac{1}{2}$  per cent or 3 per cent paper.

“66. Further, we propose that this offer of limited conversion in 1916, conditional on subscription to a new loan, shall be repeated in 1917 and 1918 if we borrow in those years at a higher rate than  $3\frac{1}{2}$  per cent. Thus supposing the 1917 loan to be of that character, a subscriber thereto, or a purchaser of conversion rights attached to the loan, will be able to convert  $3\frac{1}{2}$  per cent paper into debt of that year's issue, whatever its terms may be. I must explain, however, that the conversion rates will be fixed on each occasion with reference to the circumstances of the time and the character of each new loan, and I can hold out no hope that they will under any circumstances be more favourable hereafter—indeed they may quite possibly be less so—than the terms we shall offer in 1916, when money conditions are specially stringent. I may explain also that conversion facilities will not be attached to any short-term borrowing, such as the loan we raised last year with a currency of 5 to 8 years only; and generally that the Government of India reserve full

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discretion as to the terms to be offered for future loans, and also as regards the conversion rights associated therewith.

“67. We believe that these measures will confer a substantial degree of protection on the holders of our existing paper, and will be found well adapted to the particular conditions which this problem presents to us in India. The requirements of the Government of India are not such as to call for a vast scheme of unlimited conversion in a single year as was the case at home. The Indian markets could not find the money; and if they did find it, we could not employ it ourselves in India, or remit it to England without wrecking exchange. We feel too that in view of the comparative narrowness of the Indian money market in ordinary times, and the special stringency which exists at present, we should—if we confined the opportunity of conversion to a single year’s issue—deprive many holders of our paper of an effective chance of participating. On the other hand, we are not prepared to admit that the conditions call for the eventual extinction of the whole mass of our  $3\frac{1}{2}$  per cent paper, and could not wisely saddle ourselves with the grave liabilities incidental to a conversion scheme extending over a considerable number of years. In the conditions of the present year our next issue must be a repayable loan, and though we in no way pledge ourselves to confine our flotations in the conversion period to repayable debt, we may of course find it necessary to do so. Now, the association of conversion rights with a repayable loan doubles the amount which has to be repaid in the future. It will be readily understood that this is a very serious element in the problem; and when the time for repayment came, we might be seriously hampered as regards our productive capital expenditure and our finances generally if the amount of debt falling due for discharge were of excessive amount. These reasons have weighed with us in limiting the conversion period to three years. We have also had to bear in mind that one main justification for a conversion scheme is the inducement which it offers to the public to subscribe to the loans issued at a time of difficulty and crisis, and we cannot afford to have this inducement weakened by an undue prolongation of the opportunities for conversion.

“68. It would be premature as yet to decide what the exact terms of the 1916 loan shall be in respect of interest and currency, though I may say now that the loan will on this occasion be repayable at the end of some specific, though probably somewhat distant, date. Nor can I yet state the conversion rate which will be offered for  $3\frac{1}{2}$  per cent and 3 per cent paper. These are matters which will still require very careful consideration; but I may say at once that the effective amount of our new loan, that is excluding the new debt created by conversion of previous issues, will, as I have already indicated, be not less than £4 million outside the Post Office section (to which, I may observe, the same conversion facilities will apply) and that we shall be prepared to accept subscriptions up to £8 million. We are willing to take that large amount this year partly to make the remedy of conversion more immediate and efficacious, and partly to strengthen our financial position generally in view of the war. But we in no way contemplate, or pledge ourselves to, similarly large flotations in 1917 and 1918; and investors who stand aside from this year’s issue in the expectation of being as readily able to obtain conversion rights in the two following years will run the risk of disappointment in that respect.

“69. I may mention here that we have decided, with the approval of the Secretary of State, to introduce a new form of Government securities in the shape of bearer-bonds, to meet the convenience of persons in large business centres who wish to dispose of, or raise money upon, Government paper with greater ease and rapidity than are afforded by our existing promissory notes with the formalities attendant upon the transfer of these from one holder to another. We have no desire, however, to alter or abandon the present form of promissory note, which is much valued for purposes of safety by those who wish to hold Government paper permanently or for considerable periods. Accordingly the bearer-bond form will be purely optional and the fullest facilities will be given for the conversion of promissory notes of the existing form into bearer-bonds and *vice versa*. This reform will be introduced as soon as certain legal points which are under consideration have been settled, and when the best form of the new bearer-bond has been determined on.

### Ways and Means Estimate for 1916-17.

“70. Before setting out the figures in the manner adopted in paragraph 20 above, I would emphasise that they are very materially affected by the facts

that, as I have already said, we cannot count on any home borrowing next year; that, on the contrary, we ought to give some little help to the Home Government in maintaining a grip over the London money market by repaying a portion of the Secretary of State's outstanding India Bills; and that, in view of the limitations of the Indian money market, we must take a cautious view as to the immediate response to our offer of conversion facilities. Consequently, even though it is proposed to meet the Imperial deficit entirely by taxation, and convert it into a surplus, we have had to cut down the capital expenditure programme to the lowest possible limits, allowing only £3 million for Railways and £1·2 for Irrigation and Delhi.

“The figures we have to deal with are then as follows :

<i>Outlay.</i>		<i>Resources.</i>	
	£ million.		£ million.
Provincial deficit . . . .	0·4	From balances . . . .	0·3
Capital Expenditure—		Imperial surplus . . . .	1·1
Railway . . . . .	3·0	Rupee borrowing . . . .	4·3
Irrigation . . . . .	0·9	Unfunded debt . . . . .	0·3
Delhi . . . . .	0·8	Famine insurance and mis-	
Discharge of debt . . . . .	2·0	cellaneous items . . . . .	0·2
	<hr/> 6·6	Special war receipts . . . .	0·4
			<hr/> 6·6

“71. I have already explained the amount of the Provincial deficit and the Imperial surplus as arrived at by the new taxation, and now add the following elucidatory remarks in respect of other items.

“*Railway Programme.*—As I have said, the financial position requires us to cut this down to a very low figure. We are advised, indeed, that it is very questionable whether a larger allotment could be profitably spent in view of the great difficulty, in present circumstances, in obtaining railway material from home and its extremely high cost. The present price of rails, for instance, landed in India, is nearly double the pre-war price, while the Tata Works, on which we could normally rely for local supplies, are now mainly occupied in the manufacture of steel for munitions. Our own railway workshops too are largely engaged in the same work.

“The £3 million programme has been fixed so as to continue progress, but generally at a reduced rate, on works already in hand which could not without loss or great inconvenience be interrupted. Provision has also been made for the restoration of the hill section of the Assam-Bengal Railway, but only such new works are included—for example, water-supply schemes where the existing supply seems likely to fail—as could not with safety be postponed. The bulk of the expenditure proposed is consequently on open lines.

“*Irrigation.*—Here too the financial position has to be taken into account, and prevents our doing more than repeat the revised estimate provision of £900,000.

“*Expenditure on Delhi.*—This, as in the current year, is confined to what is absolutely necessary to keep things going without deterioration of material and disbanding of necessary establishments

“*Discharge of debt.*—We provide here £500,000 for the discharge of India bonds issued in connection with the purchase of the Indian Midland Railway, which fall due in the coming year. We also provide £1½ million for the discharge of some of the short-term sterling India Bills issued by the Secretary of State in 1914-15, a measure which, as I have indicated, will be a contribution on our part to the retention of the Home market for borrowings by His Majesty's Government in connection with the war. We shall also, incidentally, save a certain amount in interest charges. The temporary loans we raised in 1914-15, which still stood at £14 million at the commencement of the current year, will thus have been reduced to £9½ million, *i.e.*, to £4 million from the Gold Standard Reserve (*vide* paragraph 21) and £5½ million in sterling India Bills.

“72. I have already said as much as I can at present in respect of the *rupee loan*. We take the amount of this for the purpose of the present calculations at £4·3 million, of which £300,000 is estimated as accruing from the Post Office section. But, as

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I have already indicated, we are prepared to accept subscriptions up to a further sum not exceeding £4 million. To the extent that we obtain these we shall employ them in paying off our remaining debt to the Gold Standard Reserve.

“It is very necessary, in present conditions, to conserve the Indian money market for the requirements of Government to a greater extent than is normally necessary. We do not propose to go at all as far in this direction as His Majesty’s Government have had to do at home, but we are fully justified in issuing instructions, as we have done, that local bodies shall, as far as possible, keep down their development expenditure which is financed from borrowing; and that all loan flotations by such bodies, as well as branch line companies’ loans, shall be held absolutely in abeyance from the present date until our coming loan has been floated.

“For *unfunded debt* we take a net incoming of £300,000 only, as we must be cautious in regard to the Post Office deposits, and we are for the present anticipating that there will be a reduction in these by direct withdrawals, or by transfer to the Post Office section of the loan, to the extent of £700,000 in the coming year.

“Under *special war receipts* we assume a receipt of £400,000 from the continued employment of enemy vessels.

“73. These and other transactions bring us to an estimated closing balance of £17·4 million on the 31st March 1917, exclusive of holdings for the Gold Standard Reserve temporarily included in the balances of the Home Treasury. This is about £1 million more than the normal minimum balance required in India and England together; but it will be readily understood that in present conditions, which in several directions expose our balances to exceptional strain, it is necessary to have some margin. This is the more desirable in that, as I have already said (paragraph 32), we shall eventually have to make good the large sums—of which we are making temporary use—that we are deriving from the employment of captured enemy vessels and the liquidation of hostile firms.

### **Remarks on certain special heads.**

“I now furnish some supplementary information in regard to certain special and important heads.

#### **A.—Opium.**

“74. In paragraph 36 of my speech introducing the Financial Statement for 1914-15, I referred to the question of the disposal of the stocks of Indian opium which had accumulated in the China ports as the one problem of our past opium trade with China still remaining for solution. At the commencement of this year the amount of stocks still unsold was considerable and the rate at which they were passing into consumption was slow, while all the consuming provinces in China except three had been declared free of cultivation and were consequently closed to Indian opium in accordance with the terms of the Opium agreement of 1911. Arrangements had also been made in accordance with that agreement for the inspection, early last summer, of Kiangsu with the object of applying the closure to this province also. These arrangements were however cancelled at the request of the Chinese Government, on the ground that investigations had shown that certain districts were not free from poppy cultivation; and shortly afterwards it became known that an arrangement had been arrived at between the Chinese authorities and the opium merchants which would have the effect of removing restrictions which had previously hampered the latter’s trade. This was followed by the announcement, a few months later, that the whole of the stocks lying in Hongkong and a portion of those remaining in Shanghai had been purchased by representatives of the Chinese Government. It may fairly be assumed that the small remaining balance of the stocks is not likely to cause any embarrassment to the Government of India, and so a further, and apparently final, stage has been reached in the connection of this country with China in the matter of the opium trade.

“75. Shortly after the outbreak of war we found it desirable to raise—from ₹1,200 to ₹1,600 per chest—the upset price fixed in respect of the opium which is auctioned monthly for export to the non-China markets. During 1915 the full amount of the opium offered at this price was sold and, in view of the active conditions of the trade towards the close of the year, it was decided, as I have previously mentioned, to make a further enhancement of the upset price to ₹1,800 with effect from January 1916. The price obtained at our auction sales rose at once on the

announcement of this decision in September and has recently been above the new minimum.

"76. I mentioned last year that we had arranged to sell direct to the Government of the Straits Settlements the amount of opium required by that Government for its opium monopoly. A similar arrangement has since been concluded with the Government of Hongkong, and the amount of opium which has been announced for auction is exclusive of the requirements of these two Governments.

"77. Incidentally the war has led to an increased demand for medicinal preparations made from opium and, supplies from Turkey being interrupted, it has been arranged with the Secretary of State to test the suitability of Indian opium for this purpose by placing a quantity at the disposal of the London market. The permanent success of the experiment cannot, of course, be established till the return of peace conditions, but we have been able so far to sell 1,400 chests at a substantial profit and anticipate a larger sale in the coming year. It is a matter of satisfaction to us that in this way the production of Indian opium has relieved a want which must otherwise have been acutely felt.

### B.—Military Services.

"78. The table below shows the gross and net expenditure on Military Services for the coming year and the four years preceding :—

	GROSS.					NET, i.e., DEDUCT- ING RECEIPTS.
	Army.	Marine.	Military Works.	Special Defences.	Total.	All Military heads.
	£	£	£	£	£	£
1912-13 . . .	19,576,526	479,928	887,379	9,267	20,953,100	19,565,466
1913-14 . . .	19,789,239	512,845	947,297	16,384	21,265,765	19,896,113
1914-15 . . .	20,336,559	463,870	996,071	13,603	21,809,603	20,434,915
1915-16 (Budget)	19,973,700	650,400	744,300	21,100	21,389,500	20,169,200
1915-16 (Revised)	21,650,200	519,100	830,200	16,300	23,015,800	21,842,700
1916-17 (Budget)	21,579,100	707,600	858,300	20,900	23,165,900	22,000,000

"79. The total net expenditure in 1915-16 is now expected to reach the figure of £21·8 million or about £1½ million more than the Budget. I have already referred (in paragraph 14) to the main causes contributing to this large excess and need only add the following supplementary remarks. The developments of military science have rendered it necessary to increase the efficiency of the army in India in various directions while the war proceeds, *e.g.*, by the provision of mechanical transport, at a cost of £78,000, and of an aviation squadron, at a cost of £74,000. The expenditure on Military Works is now estimated to exceed the Budget figure by £86,000, chiefly on account of urgent improvements to frontier roads, the provision of accommodation for the Indian sick and wounded returned from the front, and improvements to the Cordite factory and to the Ordnance factory at Ishapore. A fall in receipts of £47,000, which is chiefly due to war conditions, also contributes to the increase in net expenditure.

"In certain respects the programme of expenditure has not been fulfilled; for instance, the Admiralty were unable to make progress with the construction of the Royal Indian Marine vessels referred to in my speech of last year, and this has involved a lapse of £149,000. On the other hand, the outlay on home stores for marine requirements is higher by £23,000. Other minor variations combine to account for the balance of the estimated excess.

"80. For the year 1916-17 a sum of £22 million has been allotted as the net Military expenditure, again on the assumption, which governs all our calculations, that the war will continue throughout the next financial year.

"In view of the general financial situation, only absolutely necessary and urgent measures are being provided for. The causes which affected Military expenditure during 1915-16 will remain for the most part operative in 1916-17. There will, it is true, be considerably less expenditure on sea transport charges, since the contribution during the current year included arrear payments on account of 1914-15. We also

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anticipate reduced expenditure on certain other measures connected with internal defence; and there will be a saving in connection with the mechanical transport companies, due to the initial expenditure being met for the most part during the current year. On the other hand, we anticipate increased expenditure of £189,000 in connection with the vessels the construction of which at home had to be postponed during the current year, and on replacement of stores and coal, and a somewhat higher provision has to be made for measures in connection with military arrangements on the North-West frontier. Broadly speaking, however, the anticipated expenditure in 1916-17 would be a little lower than in 1915-16 but for the fact that, as I have already explained, we have thought it wise to provide a margin (of rather over half a million pounds) to meet unforeseen demands.

“81. The Indian Army still continues to play a conspicuous part, side by side with representatives of every portion of the Empire, in the great war which the King-Emperor and his Allies are waging for the cause of liberty and right. Nor, as I indicated in my speech in the closing budget debate last March, is this the only respect in which India has borne her share of the Empire's burdens. She has rendered invaluable aid by recruiting and training large numbers of soldiers; by furnishing supplies of all sorts—foodstuffs, clothing, ordnance, equipment and munitions; by training and despatching horses; by lending to the Admiralty a great part of her Royal Indian Marine fleet; and by fitting out transports. The total value of the supplies and services of all sorts which she has thus undertaken on behalf of the War Office amounted, including some similar expenditure brought to account at home, to about £10 million in 1914-15 and is estimated at about £18 million in 1915-16 and £20½ million in 1916-17. These figures include also the outlay in civil departments on the manufacture of munitions which is now in full progress. They do not, however, include the services, representing a recoverable outlay of £850,000 in 1915-16 and about £1 million in 1916-17, which we are able to render to the Australian Government.

“82. I mentioned in paragraph 65 of my speech introducing the last Financial Statement the assistance given by the Indian princes in respect of their Imperial Service Corps and in special gifts towards the cost of the war. The latter now total about £900,000. Further, considerable sums have been placed at the disposal of the Commander-in-Chief to be spent in the purchase of horses, motor cars, motor ambulances, etc., or in any way which His Excellency may think advisable for the good of the army. It is of course impossible to mention all these individual gifts, which find no place in the Budget; but I would refer particularly to a recent personal gift of one lakh from His Excellency Maharaja Sir Chandra Shumshere Jung Bahadur Rana, Prime Minister and Marshal of Nepal, as well as of 2 lakhs from the Nepal Durbar, who also are bearing all the ordinary pay charges of a Nepalese contingent now serving in India.

“83. The Council will readily understand that the task of deciding the many complex questions relating to the incidence of expenditure as between the Government of India and His Majesty's Government, and of devising a simple and efficient system of accounting, has been a most difficult one. It was found necessary, early in the current year, to create a special appointment of Central War Controller to deal with these matters, and Mr. B. N. Mitra, C.I.E., was appointed to the post. I gladly take this opportunity of acknowledging the conspicuous ability and untiring energy with which he has discharged his duties, and the appreciation they have met with at home as well as here.

### **C.—Famine Relief.**

“84. I have already mentioned that the faulty distribution of the monsoon has led to distress in certain areas. This, however, has fortunately, so far, been on a comparatively small scale. Some direct expenditure on relief in the tracts affected by floods in Assam and the United Provinces was necessary. Distress due to drought exists at present in the Bankura district of Bengal; in the Manbhum and Singhbhum districts of Bihar and Orissa; in Ajmer-Merwara, and in the Karauli State in Rajputana; whilst that in the Tipperah district of Bengal is due to floods. Test works have been opened in these tracts and gratuitous relief is also being distributed. The maximum number, so far, on test works in all the affected tracts has been 21,000 and on gratuitous relief 23,000. The Kolhan Government estate in Singhbhum, with an area of 1,200 square miles and a population of 80,000, is

however the only area which passed beyond the stage of observation and test, scarcity having been formally declared in October last Distress there, however, is practically over for the present, though some recrudescence is anticipated when the harvesting of winter rice is finished. Assistance in the shape of agricultural loans has been necessary in these tracts, as well as in Assam; whilst owing to the scarcity of fodder in Ajmer-Merwara, Rajputana and the Punjab the usual concessions for the carriage of fodder at reduced rates have been introduced in large areas. Special railway concessions have also been granted in order to encourage the emigration of cattle from Ajmer-Merwara.

"The actual expenditure incurred in relief is fortunately, however, on a very small scale. It may be taken at £93,000 in the current year, of which £40,000 is debited to the head 33—Famine Relief and mainly represents the cost of fodder concessions. The total outlay at present anticipated in the coming year is £73,000, of which £46,000 is intended for fodder concessions and outlay on direct relief and appears under the Famine Relief head.

"85. In the current year we provided £500,000 out of the Famine Insurance Grant of £1 million for protective works. The Famine Relief outlay of £40,000 is a first charge on the remaining moiety, and £460,000 is left for the reduction or avoidance of debt, of which £295,000 comes under the Imperial and £165,000 under the Provincial section.

"In the coming year we are slightly reducing the provision for protective works which is taken at £433,000. Of the remainder, famine relief accounts for £46,000, while £424,000 under Imperial and £97,000 under Provincial are allotted to the reduction or avoidance of debt, the Provincial allotment in the coming year being somewhat reduced as one more of the provinces has now obtained its maximum famine credit. I may add that I have not forgotten the promise, to which I referred in paragraph 69 of my speech last year, to consider the possibility of improving the system of Provincial famine credits. We have not yet had a final reply from one of the provinces mainly interested, but we shall hope to put the matter before the Secretary of State in the course of the coming year.

#### **D.—Expenditure from Special Grants, Educational, Medical, etc.**

"86. I give below a table similar to that exhibited in paragraphs 46 and 70 of my speech introducing the last two Financial Statements :—

[In thousands of pounds.]

	TOTAL GRANTS GIVEN (1911-12 TO 1916-17).		TOTAL EXPEN- DITURE INCUR- RED* (1911-12 TO 1916-17).	BALANCE EX- PECTED TO BE AVAILABLE ON 1ST APRIL 1917.
	Recurring.	Non-recurring.	Non-recurring.	
(1) Education . . . . .	763	3,253	2,213	1,040
(2) Sanitation . . . . .	245	1,738	1,172	566
(3) Medical Relief, etc. . . . .	...	58	54	4
(4) Agriculture, etc. . . . .	...	177	169	8
(5) Grants for other special purposes . . . . .	...	1,545	1,415	130
(6) Grants for general purposes (Discretionary grants) . . . . .	...	667	381	286
TOTAL . . . . .	1,008	7,438	5,404	2,034
<i>Add</i> —Savings on recurring grants during foregoing period (about) . . . . .				697
Total amount expected to be available from special grants on the 1st April 1917 . . . . .				2,731

\*Non-recurring figures only are given as the recurring grants are treated as having been fully worked up to, any savings obtained from those grants in particular years being added at the foot of the statement.

"In view of continued financial stringency, we have, naturally, had again to ask Local Governments to restrict their drawings on the portion of their balances which represents the unspent remainder of these special grants, and we have also had to limit outlay from the portion of previous recurring grants which have remained at our own disposal. Any short expenditure by the Government of India

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from these recurring grants in the current and coming years will, however, be made good when financial prosperity is restored.

### E.—Financial position of the Provinces.

“87. The financial history of the provinces in the current year, as I have already shown, has been one of severe restriction of expenditure, and this must inevitably be continued in the coming year also. The only important change in the financial arrangements with Local Governments which I have to mention now is the final decision on the question of improving the terms of the Burma provincial settlement, in connection with which I mentioned in paragraph 72 of my last year's speech that we had decided to increase the permanent resources of the Local Government to the extent of £100,000 a year. We had also under consideration at the time a further concession, which has since received the approval of the Secretary of State, namely, the guarantee to this province of a minimum aggregate of revenue advancing progressively every year. The annual increment of revenue thus assured to the province is £53,000, and the guarantee extends until 1923-24. It does not actually become operative until the conclusion of the war; but the total minimum guaranteed revenue on which the province will then begin will be fixed as if its revenues had started at the full amount anticipated in the calculations on which the provincial settlement of April 1911 was based, *plus* the additional £100,000 mentioned above, and had subsequently increased every year at the guaranteed rate. The arrangement is a new feature of our provincial settlement system, and one which we are not likely to extend, as it originates from two factors special to Burma, namely, *first*, the unusually fluctuating character of her revenues as a whole, and, *secondly*, the special necessity in her case, for making an assured provision for a steady scheme of development of communications. Such a scheme cannot be taken up and carried on in the absence of some assurance of a growth of minimum revenue sufficient to provide for an adequate working programme without constant set-backs when an indifferent year happens to succeed one of special prosperity. We ourselves believe fully in the elasticity of the Burma revenues; and we felt that, if this confidence in the future growth of provincial revenues could be turned into a certainty, so far as the Local Government is concerned, by the procedure proposed, a great difficulty in attacking this problem of road development could be met.

“88. We have also during this year made good progress with the problem of attempting to define and enlarge the financial powers of Local Governments and of authorities subordinate to them on the one hand, and of the various Imperial authorities on the other. Our hope is to evolve a systematic and liberal scheme of delegation which will help to solve, with greater simplicity and generality than has hitherto been attempted, many questions of decentralisation which have been under consideration for a number of years past, as well as certain parallel questions of audit control to which, as Hon'ble Members are aware, much attention has recently been paid. In this Your Excellency has taken a special personal interest, and I should have been glad if it had been possible to make a more definite announcement on the subject on the present occasion. But the matter is one in which we cannot act alone, for no definite scheme can be introduced without the concurrence of the Secretary of State.

### F.—Railways. (Capital Outlay.)

“89. The following statement gives the figures of Railway capital expenditure on State-owned lines included within the Railway programme for the coming year and the four years preceding :—

	1912-13.	1913-14.	1914-15.	1915-16, Revised.	1916-17, Budget.
	£	£	£	£	£
Open lines including rolling stock	7,134,200	10,303,100	10,534,300	4,250,100	2,730,000
Lines under construction—					
(a) started in previous years	2,658,700	1,871,500	898,800	660,700	270,000
(b) started in current year	103,200	131,700	...	35,900	...
Total	9,896,100	12,306,300	11,433,100	4,946,700	3,000,000

"90. As I have already stated, the financial position has necessitated a large reduction in our Budget programme for 1915-16, and also requires us to cut down expenditure in the coming year to a very low figure. The greater part of the reduced outlay for 1916-17 will, as usual, be devoted to the improvement of open line equipment, including provision for the repair of damage done to the hill section of the Assam Bengal Railway by the abnormal floods of last July.

"The difficulty of obtaining imported material without interference with more important work and at reasonable cost has limited the proposals for the purchase of new rolling stock to extremely modest dimensions, though, in order to provide work for the railway shops which build coaches and wagons, some material has to be bought from abroad. Works will absorb the greater part of the allotment, and what cannot be made in the country will be found from the stores already collected whenever possible.

"91. The small amount which remains over for construction expenditure we propose to utilise in continuing, as far as possible, progress on lines already in hand which cannot well be interrupted without loss or considerable inconvenience. Very nearly half of it goes to the Burdwan-Howrah Chord which, as explained last year, may be regarded as a work of open line improvement designed to relieve the congestion of traffic on existing lines between Calcutta and the coal-fields. Work has here reached an advanced stage, and in order to render the outlay already incurred remunerative it is necessary to provide for its early completion.

"Another work of this description is the overhead connection with the Victoria terminus in Bombay, the provision for which will enable moderate progress to be made. The only other important line requiring notice is the Itarsi-Nagpur, on which considerable progress has been made in the current year. The northern section from Itarsi to Parassia, a length of 134 miles, has already been opened to traffic, and it is expected that the southern section from Nagpur to Katol will be ready for opening within the next 3 or 4 months. We have provided a small sum for the completion of this section, but funds will not permit of work being proceeded with on the remaining section Katol to Amla. Circumstanced as we are it is out of the question to make provision from programme funds for any new line of railway.

"92. It is all the more gratifying, therefore, to find that the activity of Branch Line companies has been in no way abated. Last year I informed the Council that the total mileage of railways sanctioned for construction by such companies was 234, and that several District Board projects were about to mature. Since then we have sanctioned the construction of four new lines, of a total length of 72 miles, to be financed by certain District Boards in Madras, and have also authorised the flotation of Branch Line companies for the construction of five new railways comprising a total mileage of 258. One of these, the Mymensingh-Bhairab Bazar Railway, is a project of importance which has been under consideration for years past; and the company undertaking its construction is the largest railway concern recently floated in India. These facts bear evidence to the popularity of the terms which we now offer to investors in such undertakings.

"93. The following figures show the capital outlay on all State lines up to the end of each year from 1912-13 and the net return obtained, after deducting working expenses and interest charges:—

[In thousands of pounds.]

	1912-13.	1913-14.	1914-15.	1915-16, {Revised.	1916-17, Budget.
Capital at charge at end of each year .	340,103	351,302	361,556	365,097	366,827
Net working profit from railways excluding interest charges . . .	17,272	17,616	15,614	17,123	16,461
Percentage of net working profit to capital outlay . . . . .	5.08	5.01	4.32	4.69	4.49
Net working profit from railways after meeting interest charges . . . .	4,803	4,790	2,158	3,348	2,505
Percentage to capital outlay of net profits after meeting interest charges.	1.41	1.36	.60	.92	.68

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“ 94. The return on Railway capital (excluding interest charges) was estimated in the current year's budget at 4·01 per cent. We now estimate it at 4·69 per cent, in consequence of the large increase in net railway earnings which I have already dealt with in my review of the Revenue estimates. For next year we put it at 4·49 per cent consequent on the smaller estimate of net earnings provided for in the Budget.

“ The charges for interest in the current and ensuing years work out to 3·77 and 3·81 per cent respectively on the capital outlay, so that the final net profit on railways in each of these years is 0·92 per cent and 0·68 per cent. But as I said last year, the interest charges include certain annuity and sinking fund payments which really go to the discharge of debt.

### G.—Irrigation. (Capital outlay.)

“ 95. The financial position of our great Irrigation undertakings may be gathered from the following table, which brings up to date the information given in previous Financial Statements. The figures are in thousands of pounds:—

Particulars	1912-13.	1913-14.	1914-15.	1915-16 (Revised).	1916-17 (Budget).
1	2	3	4	5	6
<i>Productive Works</i>					
Capital outlay to end of each year .	33,347	34,645	35,777	36,696	37,601
Total receipts, including land revenue due to irrigation . . . . .	4,065	4,338	4,325	4,379	4,417
Total expenses, including interest on debt . . . . .	2,263	2,306	2,452	2,561	2,587
Net profit . . . . .	1,802	2,032	1,873	1,818	1,830
Percentage of net profit to capital outlay . . . . .	5 40	5 87	5·24	4 95	4·87
<i>Protective Works.</i>					
Capital outlay to end of each year .	4,205	4,796	5,345	5,860	6,274
Total receipts, including land revenue due to irrigation . . . . .	81	112	101	113	119
Total expenses, including interest on debt . . . . .	188	213	247	275	290
Net loss . . . . .	107	101	146	162	171
Percentage of net loss to capital outlay . . . . .	2·55	2·10	2·73	2·76	2·73
<i>Minor Works and Navigation.</i>					
Direct Receipts . . . . .	266	263	254	268	280
Expenditure . . . . .	842	914	936	898	889
Net loss . . . . .	576	651	732	630	609

“ 96. On the 31st March 1915 the total length of main and branch canals and distributaries which had been constructed on irrigation works of all classes amounted to 62,758 miles, a figure which, it is expected, will have increased by some 500 miles during the current financial year. These channels command an area of approximately 50 million acres of cultivable land, and in 1914-15 actually irrigated almost

25½ million acres. The area of irrigation of 1915-16 is, however, expected to show a decline to about 24 million acres as the deficient rainfall in parts of Northern India diminished the available water-supply.

"97. In addition to the canals in use there are 39 major projects which are either under construction, awaiting sanction, or being examined by the professional advisers of Government. Of these 14 are productive and 25 protective; they are designed to irrigate 7½ million acres and to cost £30 million

"During the current year only one new work of any magnitude was sanctioned, namely, the Gokak canal, a work of the protective class estimated to cost £1.3 million. It will extend the benefits of irrigation to portions of the Belgaum and Bijapur districts in the Bombay Presidency, and to tracts in Kolhapur and certain other adjacent Native States. Work on this project has not however yet been started, and it is unlikely that a beginning can be made while the present financial stringency endures.

"98 In paragraph 84 of my speech of last year I referred to five projects of the first importance which had been engaging the attention of the Government of India for some considerable time. The investigation of the Sukkur, Kistna, and Sutlej projects is still proceeding, while the Cauvery reservoir scheme continues to be held up pending the settlement of certain questions respecting the division of the waters of the Cauvery river as between Madras and the Mysore State. An alternative scheme for the utilisation of the waters of the Sarda river in the United Provinces has been advanced by the local Government and is now being examined. The Koch Dam project in the Punjab has been abandoned as financially impracticable.

"99. The opening of the Upper Jhelum Canal by Your Excellency in December last marked the practical completion of the Punjab Triple Canals project, for upon this canal the two other linked systems—the Upper Chenab and Lower Bari Doab Canals—depend for their supplies in the *rabi* season. During the first eight months of the current financial year the two last-named works had irrigated an area exceeding half a million acres, while, on full development, the triple system as a whole will serve an area of 1,870,000 acres annually. Colonisation on the Lower Bari Doab made good progress during the year.

"In the United Provinces good progress was made with the erection of a permanent weir and regulator at Hardwar, the site of the headworks of the Upper Ganges Canal. This work, it is hoped, will be finished in the course of the present calendar year, and will greatly improve the efficiency of the canal.

"In the Central Provinces the Weinganga and Tandula Canals are approaching completion : it is hoped that irrigation from the former will begin in 1916 and from the latter in 1917.

"Satisfactory progress continues to be made with the important protective works in the Bombay Deccan, *viz.*, the Pravara, Godavari, and Nira Right Bank Canals.

"In Burma the Twante Canal is nearly finished. This is a purely navigation work and is intended to improve communications between Rangoon and the rich rice-producing lands of the Irrawaddy delta. It will, it is hoped, be ready for use by the end of 1916.

## H.—Delhi Expenditure. (Capital Outlay.)

"100. We provided £267,000 in this year's Budget for expenditure under the head 51—Initial expenditure on the new Capital. This has been somewhat exceeded, owing largely to existing commitments resulting from the higher scale on which the programme for 1914-15 had been based, and the actual expenditure is now estimated at £333,000. For the coming year we repeat this year's Budget provision.

"The Delhi Committee have been engaged during the present year in carrying on preliminary operations, such as levelling the site, collecting materials, manufacturing bricks and similar miscellaneous work. The Indian clerks' quarters and the menials' quarters, which were commenced in 1914, have been completed; bungalows have been provided for the occupation of the works staff; and progress has been made with the detailed schemes and estimates. But the only important buildings on which a beginning has yet been made are Government House and the Secretariat, on which a moderate rate of progress will be maintained. The programme of work in 1916-17 will be on similar lines; and the staff employed will be kept down to the

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minimum necessary to supervise the work in hand and to ensure the completion of the estimates at a reasonably early date, while the larger schemes, such as those relating to sanitation, electric lighting and irrigation, must await an improvement in financial conditions.

"The *pro forma* account of expenditure on the Delhi Province which was first given last year has been brought up to date and is produced as an appendix to the Financial Secretary's Explanatory Memorandum.

### **Council drawings, Exchange and Paper Currency Reserve.**

"101. As I explained in paragraph 10 of my speech last year, a considerable portion of the aggregate remittance which we have to make to the Secretary of State to finance his home expenditure is now being carried out indirectly, owing to the fact that we are incurring a large amount of military expenditure in India on behalf of the Home Government which the Secretary of State recovers from the War Office. The result from our point of view is of course the same as if he had drawn Council Bills on us to that extent and had correspondingly reduced our capacity to meet his further drawings. We estimated in the Budget that we should thus incur £7·5 million of recoverable military expenditure in India, but this has risen, with the development of the operations which we assist in financing, including the manufacture of munitions, to £14·6 million. In addition, the system adopted, at the instance of His Majesty's Government, of financing the purchase of wheat by direct payments on this side to the firms employed as our purchasing agents has involved a further expenditure of £2·9 million, which the Secretary of State recovered by the sale of the wheat at home. We also placed £2 million at the disposal of the Bank of England in India, against which the Bank made a similar payment to the Secretary of State. Finally, as previously mentioned (paragraph 81), we incurred some recoverable outlay—about £0·9 million—on behalf of the Australian Government

"Altogether, then, our recoverable disbursements here have amounted to £20·4 million. The effect of the wheat purchases and sales in depleting our balances here and inflating those of the Secretary of State was, however, corrected, when exchange fell in June—September and reverse bills were sold, by crediting the proceeds (£4·7 million) to our treasury funds in India, while the Secretary of State met the bills at home from his own balances.

"102. Thus the net demand on our treasury balances as a result of these forms of indirect remittance amounted to £15·7 million, or about £8 million more than the Budget had contemplated. We were thus unable to meet the Secretary of State's Council drawings (from those balances) to the full extent anticipated, and yet these were on an unexpectedly large scale. The depression of exchange to which I have just referred was of comparatively short duration. It was doubtless connected in part with the system adopted for financing the wheat purchases, as well as with the demand for remittance in connection with the home war loan; and when these transactions had been adjusted, and the period of renewed activity which normally sets in towards the beginning of the cold weather had started, the situation was reversed, and eventually an exceedingly strong demand set in for trade remittances, which, in accordance with our accepted policy, has been fully met. The Secretary of State's Council drawings are now estimated to amount this year to £16½ million. Of this sum, £3·7 million has been met from our treasury balances, as against £7·1 anticipated in the Budget; and £7·5 million through the Gold Standard Reserve. The London portion of that Reserve had been weakened by having to meet heavy demands for reverse remittances after the outbreak of war, and we have been glad to take the opportunity afforded by a period of strong exchange to re-transfer to it the free portion of the balance which was thus accumulated in India, as well as the £3 million which we have repaid out of the temporary loan of £7 million which we took from the Reserve in the early part of the war. We still retain in India (in our treasury balances) the remaining portion of that loan.

"103. The remaining drawings of the current year (£5·3 million) are being taken against the Paper Currency Reserve. As Hon'ble Members are aware, this is the normal practice when the trade demand for remittance exceeds the amounts which can conveniently be met from our treasury balances. But while in ordinary conditions the proceeds of bills thus drawn against the Paper Currency Reserve are

' earmarked ' at home in gold, the Secretary of State has felt obliged, in the financial situation at home created by war conditions, to make a very sparing use of this procedure. To meet this difficulty without detracting from the "availability" of the Reserve, if I may coin a word, we took power by our recent Currency Ordinance to enable him to invest up to a limited extent in short term securities, such as Treasury bills, the sums which he would normally have earmarked in actual gold, and he is utilizing this power up to the extent of £3 million. At the same time we took the opportunity of making it clear that additional investments from the Currency Reserve, when made in India under the powers taken by the Currency Act of last year (V of 1915), can be effected by creating fresh Government paper *ad hoc* and placing it in the Reserve, thus enabling us to carry out the intention, previously announced, of obtaining, when necessary, additional resources for the assistance of trade or for our own possible requirements. The Currency Act just mentioned remains in force up to six months after the close of the war, and we shall ask the Council in the course of the present session to give the same duration to the useful supplementary legislation contained in the recent Ordinance.

" 104. In 1916-17 we again expect that the bulk of the funds required by the Secretary of State will be met, as in the present year, by the recovery from the Home Government of expenditure—estimated to amount to £17.1 million—which we shall incur on its behalf in India, besides which there will again be expenditure, amounting to about £1 million, on behalf of the Australian Government. The Secretary of State will therefore require to draw on us in the ordinary way to the extent of £5.1 million only. As usual, however, these announcements are merely provisional, and full discretion is retained to vary the amounts in such manner as may be found advisable.

" 105. The average rate of exchange in the current year, calculated on the Secretary of State's drawings, is taken at 16 068 pence per rupee

### Gold Standard Reserve.

" 106. The following statement shows the holdings in the Gold Standard Reserve on the 1st April last and at the date of the last published statement. I have also added figures showing how we expect the Reserve to stand on the 31st March in order to bring out important changes in its constitution to which some allusion has already been made.

[In thousands of pounds.]

—	Book credit in India.	Gold set aside in the Bank of England.	Cash placed by the Secretary of State for India in Council at short notice.	Gold held in India.	Temporary loan to Treasury balances in India.	Invested in London.	TOTAL.
1st April 1915 .	70	1,250	8	5,238	7,000	12,149*	25,715
31st January 1916 .	..	1,000	6,038	...	7,000	11,850†	25,888
As estimated on 31st March 1916.	..	1,000	6,166	245	4,000	14,866‡	26,277

\* This represents the value of the securities at the minimum prices fixed for them as on the 31st March 1915.

† This represents the value of the securities as on the 31st October 1915.

‡ This represents the value as on the 31st October 1915 (the date of the last valuation) of the securities then held and the cost price of securities purchased since that date.

" 107. It will be seen that there will still be a ' loose ' balance in India of £245,000. This represents interest which we have to pay for our temporary loan from the Reserve, and as it will not be credited till the 31st March next, there will not be time in the current year for its withdrawal, like the remainder of the balance, by the sale of council bills. The balance with which the year opened, and the repaid portion of the loan we had taken in 1914-15, were withdrawn—to the extent of £7.5 million in all—by the sale of council bills as already described ; and the remainder was remitted to England by adjustments through the Paper Currency Reserve\* in connection with a very interesting and expedient transaction.

\* We transferred the money to that Reserve here, while the Secretary of State was thus enabled to take a corresponding sum out of his Paper Currency holdings to credit of the Gold Standard Reserve in London.

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“At the time when the  $4\frac{1}{2}$  per cent British war loan of 1915 was floated, the Gold Standard Reserve held consols to the nominal value of about £3 $\frac{1}{4}$  million. It was decided to take advantage of the conversion scheme attached to the war loan to exchange these holdings into the new and more easily realisable security. This was effected partly by a direct subscription to the loan on behalf of the Reserve, the remittance above mentioned from our balance in India being made for this purpose, and partly by the purchase of conversion rights. The result of the transaction is that consols yielding a total interest of £81,660 a year have been replaced by much superior war loan securities yielding £97,992. Including the further war loan stock which we obtained by direct subscription, our total war loan holding in the Gold Standard Reserve now amount to £3 $\frac{1}{2}$  million.

### Currency notes.

“108. In paragraph 94 of my speech introducing the last Financial Statement, I alluded to the fact that during the period of emergency which followed immediately upon the outbreak of war we made special arrangements to secure the unimpeded encashment of our currency notes, and I announced that it would be our object to maintain, and if possible to develop, the facilities then granted. Definite steps have now been taken towards this end. The Royal Commission on Indian Finance and Currency recommended that Government should increase, whenever and wherever possible, the number of places at which notes can be encashed as of right, as well as the extra-legal facilities for encashment. Definite consideration of the Royal Commission's report having been postponed on account of the war, a decision on their recommendation in favour of additional statutory facilities has necessarily to stand over for the time being. We have not, however, thought it advisable to let the matter rest entirely, and we have accordingly revised the rules and practice relating to the issue and encashment of notes at Government treasuries. In our revised rules it is expressly laid down that all possible endeavour shall be made to meet the requirements of a payee as to the form of currency which he desires to take, and that all applications for the exchange of coin for notes, or of notes for coin, shall ordinarily be met; while we have undertaken to make these facilities real and effective by suitable arrangements for the supply of the coin required.

“109. This arrangement relates primarily to those cases in which the treasuries are under Government management. We had, however, already recognised that the most favourable opportunities for developing the note circulation on these lines would probably occur at the larger trade centres, at most of which the Presidency Banks have branches and transact treasury business on behalf of Government, and accordingly the policy of enlisting the co-operation of the Presidency Banks has been steadily pursued. Substantial results have now been achieved in this direction. Thus arrangements have been made with the Banks for the issue and free encashment of notes at a considerable number of their existing branches, while new branches have been opened by the Bank of Madras at four places all of which are of considerable importance from the point of view of trade.

“The main features of the new arrangements are that the Government have undertaken, for currency purposes, to keep the Presidency Banks in funds at each branch, and to supply them with any form of currency asked for as far as this may be required to permit of the free issue and exchange of universal currency notes, *i.e.*, those up to Rs100. In consideration of the Banks carrying out these duties on behalf of Government, we have in one instance, in which the arrangements are for the present on a temporary and experimental footing, agreed to reimburse the out-of-pocket expenses incurred by the Bank in connection with the establishment of an exchange department. In other cases we have given a guarantee in respect of the amount of Government funds which, under existing arrangements, are held at the Banks' branches for the transaction of treasury business. This takes the shape either of a guaranteed minimum balance, or of a guaranteed average balance of a specified sum during the busy period of each year. In fixing the remuneration of the Banks in this form the Government have had in view the policy alluded to in another connection in paragraph 11 of my speech introducing the last Financial Statement, by which the balances in the Presidency Banks are kept at as high a level as is compatible with other public interests with the object of enabling a reasonable amount of assistance to be given to trade. The arrangements above described have thus been made to serve a double purpose

" 110. There are certain other matters connected with our paper currency system which deserve mention. The most important of these is the reform effected during the past year by which the practice of re-issuing currency notes has been discontinued. In future all notes presented at a currency office will be at once cancelled however short a time they may have been in circulation. This change of procedure follows the practice of the Bank of England, and has a special advantage as a measure of protection against forgery and fraud, as it is a common device for counterfeit notes to be deliberately soiled or stained in order to obscure the defects of the imitation. When, as is likely to result from the change of procedure, clean notes form the bulk of the circulation, such counterfeit notes will stand a smaller chance of passing current. The change is also likely, on other grounds, to increase the popularity of our notes, as we have found that the public are averse from receiving re-issued notes and not infrequently present them at once at the counter to be changed. I may mention, as a practical example of the way in which this reform has been appreciated, that the Controller of Currency has informed me that the Royal Calcutta Turf Club now issue clean notes only from their totalisators !

" We hope in due course to be able to extend the new procedure to currency notes tendered at district treasuries, but there are certain practical difficulties in the way of the immediate extension of the prohibition to so wide a range of offices.

" 111. We have also had under consideration a proposal to prohibit the cutting of currency notes, which is at present very largely resorted to when these are sent by post. This proposal has, however, been dropped in view of the unfavourable criticism it elicited, the chief ground of objection being that, in view of existing Indian conditions in regard to banking facilities, the use of notes for remittance purposes is indispensable to a large section of the public, and that the prohibition or penalising of the remittance of notes in separate halves would injuriously affect the popularity of the paper currency as a whole. There was, however, one step which Government could safely take to diminish the undoubted inconvenience that results from our offices having to handle notes which have been cut, namely, by prohibiting the practice by which, in certain cases, notes were cut in our currency offices before being remitted to treasuries. It has recently been arranged to discontinue this and to check a similar practice in district treasuries.

" 112. As I indicated in the beginning of my speech, our currency circulation—partly, I may claim, as a result of the reforms above indicated—is now in a very satisfactory condition, as will be seen from the following statement which gives the active note circulation, *i.e.*, excluding notes held in reserve treasuries and the headquarter offices of the Presidency Banks, on the 1st February in each of the last five years :—

1912	.	.	.	.	.	.	.	.	46.75 crores.
1913	.	.	.	.	.	.	.	.	51.29 „
1914	.	.	.	.	.	.	.	.	51.91 „
1915	.	.	.	.	.	.	.	.	45.09 „
1916	.	.	.	.	.	.	.	.	54.11 „

" The figure for the 1st February last is in fact a record in the statistics of our active circulation—a very notable circumstance, I think, considering the critical times through which we are passing.

### **The Wheat Scheme.**

" 113. I have already had to make some reference to the Government wheat scheme in connection with the course of exchange and the Secretary of State's Council drawings. I may now say something as to the leading features of the scheme itself. It will be remembered that towards the end of 1914 Indian wheat prices began to rise to an alarmingly high level, and that this rise was practically continuous during the first three months of 1915, in spite of the action taken by Government to limit exports during that period. Prices were being forced up by the effect of the external demand on stocks which were unusually short ; and the prospects of the approaching harvest did not, as is ordinarily the case, succeed in easing the situation. So the problem which faced us was to secure that Indian prices should be divorced from world prices, and at the same time to provide an outlet for the surplus crop, which then promised to be large, alike for the benefit of the Indian cultivator and in order to meet the requirements of

[1ST MARCH, 1916.]

[*Sir William Meyer*]

the United Kingdom where wheat was in great demand. We therefore resolved, with the approval of His Majesty's Government, to control the export trade by prohibiting all private exports of wheat save some 95,000 tons already covered by existing contracts, and decided that we would ourselves purchase and export all future supplies that might be required for the United Kingdom, to which country our exports were, generally speaking, to be confined. For this purpose we employed the leading export firms as our agents and placed their operations under the control of a Wheat Commissioner. The latter, in consultation with the Government, instructed the purchasing firms month by month in regard to the quantities they might purchase for us and regulated the maximum price at which such purchases could be made. The price was originally fixed at a fairly high level, so as to get into touch with the market, but it was gradually reduced as tenders of wheat increased, and by the middle of June the Government *f. o. b.* price was brought down to Rs4-10-9 per maund at Karachi. At that time, this figure represented internal prices appreciably above those actually current, but later on the unsatisfactory development of the south-west monsoon brought current prices up to, and finally above, the Government export rate. Consequently, while in the early stage of the scheme the real check on exports was through the maximum allotments to the purchasing firms, since the prices offered would in themselves have attracted much larger quantities, the position has been reversed since the middle of July, export having practically stopped owing to the Government price not being acceptable to dealers in comparison with internal prices, especially in view of the possibility of these rising materially later through poor winter rains. From July onwards, however, the requirements of the United Kingdom became less urgent, so that the stoppage of exports was of no material consequence to it, and was satisfactory to us as decreasing the competition for wheat and thus tending to keep down a rise in prices. Moreover, owing to a fall in prices at home and subsequently, in the autumn, to a great increase in freight charges, further shipment to the United Kingdom of wheat purchased at the price we offered would have resulted in loss. I may mention here that the wheat we shipped home was disposed of under the direction of a Wheat Committee appointed by His Majesty's Government and containing representatives of the India Office, the Treasury and the Board of Agriculture.

"114. The scheme speedily provided the check on prices in India which was its main object. In Northern India, just before the scheme came into operation, internal prices at various representative centres ranged between  $6\frac{1}{4}$  and  $8\frac{3}{4}$  seers per rupee. By the middle of May they had fallen to between 9 and  $11\frac{1}{4}$  seers; and in spite of some subsequent rise, caused mainly by the unsatisfactory character of the south-west monsoon in the Punjab, and the delay in the arrival of the winter rains, they are still below the level at which they stood when the scheme came into operation. The scheme has also worked without hardship to the producer. Thus taking the Punjab, the most important portion of India affected, the cultivator there is in normal times well satisfied with a local wholesale price of Rs3 per maund which corresponds roughly, allowing for transport and other charges, to a price of Rs4-2-0 *f. o. b.* at Karachi, whereas it will be seen from what I have said already that the prices offered have been considerably higher than this. We have also some information to the effect that the cultivators appreciate the offer of a definite price by Government. The shipment of wheat under the scheme likewise produced an excellent effect in Great Britain, in lowering the prices there at a time when this was much needed: thus the home prices which were at one time 69s a quarter had fallen to 52s. in the first half of June. For the success which has attended the scheme we are greatly indebted to the ability, tact and zeal of Mr. M. M. S. Gubbay, C.I.E., who discharged the duties of Wheat Commissioner till he took up, in October last, the post of Deputy Secretary in the Finance Department. The total amount of wheat exported up to date this year amounts to about 650,000 tons.

"115. As regards the profits derived from the scheme, these, owing mainly to the enormous cost of freight and the larger supplies that came into the United Kingdom from other quarters, have been much less than might have been anticipated a year ago, and up to date they amount to about £150,000. A definite balance sheet cannot yet be struck, however, as the scheme is to continue in operation, in the interests of the Indian consumer, after the close of the current year, and we shall have to take into account the results of future transactions. In any case there can be no loss to India while the scheme continues in operation on its present lines, and thus still includes the guarantee of His Majesty's Government against such a contingency;

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and though we should of course have been glad of a large profit, this was not one of our primary inducements to undertake the scheme. The main object, so far as India is concerned, was, as described in Your Excellency's words in the final Budget debate last year, "to ensure a moderate level of prices, to safeguard the consumer and yet not to disappoint the cultivator of his legitimate profits"; and, as you also said on that occasion, such profits as may finally ensue will be employed in some special way to the advantage of the people.

"116. In regard to food-prices generally, I should like to draw attention to our very fortunate position as compared with some of the principal belligerent countries in Europe. Thus it appears from returns compiled by the Director of Statistics that in January last retail food-prices in Calcutta were only 7 per cent above what they had been at the beginning of the war, whereas, as we have recently learned from the Board of Trade *Labour Gazette*, the rise has been 47 per cent in Great Britain, 83 per cent in Germany, and no less than 112 per cent in Austria.

### Conclusion.

"117. Now, my Lord, I draw my remarks to a close. It has been a source of great concern to the Government of India that the last Budget to be presented under Your Excellency's auspices should be marked by the necessity of a large increase in taxation. But we should be flinching from our duty, and unmindful of the example which has been set to us in other parts of the Empire, were we to shrink from this, while the increased burdens which we have proposed are small in comparison with those which have to be borne by other countries participating in the war. We may also, I think, derive some satisfaction from the fact that, whereas on the last occasion on which additional taxation had to be imposed (in 1910)—that necessity arose from the domestic circumstances of India—our present measures arise only through the participation of India in the greatest war which any of us are likely to see, and in which the whole future of the Empire is in issue. And when I recall the Resolution unanimously passed in this Council on the 24th February 1915, which affirms 'the unswerving resolution of Indians to support the honour, dignity and prestige of the Empire regardless of the sacrifice it may entail on them,' I am confident that the measures we propose will receive full acquiescence in the Council and in the country.

"118. In conclusion, I desire once again to express my heartfelt acknowledgments to the officers of the Finance Department for the way in which they have dealt, in their various spheres, with the very difficult conditions through which we have passed during the current year and which are likely to continue throughout the year to come. I can only repeat what I said last year that I am most deeply indebted to their loyal and efficient aid."

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### THE INDIAN MEDICAL (BOGUS DEGREES) BILL.

**The Hon'ble Sir Pardey Lukis:—**"My Lord, I beg to present the Report of the Select Committee on the Bill to prevent the grant to unqualified persons of titles implying qualifications in western medical science, and the assumption and use by such persons of such titles."

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### THE INDIAN TARIFF (AMENDMENT) BILL.

**The Hon'ble Sir William Meyer:—**"My Lord, as I indicated just now in my speech on the Financial Statement, I have to move for leave to introduce a Bill to amend the Indian Tariff Act. It is from this measure, as I have already explained, that we expect to obtain the largest share of the additional revenue which we require. In introducing the Financial Statement, I have stated in some detail our proposals in connection with the import and export duties, and Hon'ble Members will perhaps allow me to refer them to my previous remarks for an explanation of the changes we contemplate and of the considerations underlying these changes.

[1ST MARCH, 1916.]

[*Sir William Meyer.*]

I need not, therefore, go over this ground again, and will confine my remarks to a few points arising out of the Bill to which I have not yet had occasion to refer.

“The Import Tariff which we propose to substitute for the existing Tariff is stated in Schedule I of the Bill. Part I specifies the articles which are to remain exempt from duty, and in addition to the remarks which I have already offered in explanation of our reasons for restricting the free list, I have only to observe that, with one exception, all the articles which appear in Part I are now already exempt from duty under the provisions of the existing Schedule, or under notifications issued under section 23 of the Sea Customs Act. The exception is the exemption now proposed in favour of nickel and bronze coin of the Government of India, which will now formally be placed in the same category as other current British Indian coin. The only other point to which I need draw the attention of Hon'ble Members, in connection with this part of the Schedule, is the inclusion in the statutory free list of all the special concessions which have hitherto been conceded to the cotton industry. These are stated in Nos. 18, 19 and 27 of the Import Schedule.

“Part II of the Import Schedule states the special rates to be applied to those articles, which, for one reason or another, are taxed at specific rates varying with each individual case. I have already explained in introducing the Financial Statement the changes which we propose in connection with the taxation of these articles, and the grounds on which we rely for a modification of the existing method and pitch of assessment.

“In Part III are included the articles which are to be liable to duty at  $2\frac{1}{2}$  per cent. There are at present only two cases in which such a rate is applied, namely, vinegar and green copperas, this privileged rate, as compared with our general tariff of 5 per cent, being a consequence of special tariff arrangements with France. We now propose to enlarge the list of articles which are to be taxed at this rate; and we include in it firstly, those manufactures of iron and steel which have hitherto been accorded preferential treatment and pay only one per cent, and secondly the more important articles which have hitherto been exempted altogether, but are no longer to be so. While we are unable, in existing financial conditions, and also for the reasons which I have already explained, to continue to these imports the fiscal treatment they have enjoyed in the past, we are still recognising their title to privileged treatment by taxing them at 5 per cent below our proposed general tariff rate. In regard to machinery, it will be observed that we do not propose to apply the rate of  $2\frac{1}{2}$  per cent to machinery, as defined in No. 58 of the Schedule, imported by the owner of a cotton spinning and weaving mill. This exemption is a corollary to the policy of placing an excise duty on cloth woven in Indian mills equivalent to the import duty on similar goods, and so long as the excise duty remains in force, we do not desire to modify the concession of total exemption which that industry has enjoyed.

“One small point needs to be mentioned in connection with the proposed taxation of railway material. If Hon'ble Members will refer to item No. 63 of the Schedule, they will see that this item includes a proviso defining component parts of railway material. This definition follows the similar definition, prescribed in No. 58, applicable to component parts of machinery; and this definition has, as a matter of fact, been in force for many years under our executive instructions. We are now merely giving statutory recognition to an existing practice which has the support of a statutory prescription applicable to articles of a character very similar to railway material. As I have already explained in connection with the Financial Statement we have always endeavoured to maintain equivalence of taxation between these two classes of imports.

“Part IV calls for no detailed remarks. The general tariff rate will be raised to  $7\frac{1}{2}$  per cent; and this rate will apply also in future to a number of articles, many of no special importance, which have hitherto, for no very valid reason, found their way into the free list.

“The Import Schedule, it will be observed, distinguishes articles according as they are free, or dutiable at special rates, or at  $2\frac{1}{2}$  per cent or at  $7\frac{1}{2}$  per cent. This form will, it is believed, assist Hon'ble Members in their consideration

of our proposals. We shall, however, for the convenience of importers, publish, after the Bill has become law, a Schedule in which the items of the statutory Schedule will be arranged, as far as possible, in alphabetical order. In another respect, too,—and here perhaps to a more marked extent—the proposed Import Schedule differs from the existing Schedule No. IV which states the general import duties. In the latter, in the case of a number of articles tariff values have been stated on which the import duty is assessed. Under section 22 of the Sea Customs Act, however, Government have the power to fix and modify such values, and these values are variable from time to time according to fluctuations in the price of the articles. Again, it is found necessary from time to time to fix tariff values for articles previously assessed on their market value. Therefore any values which might to-day be inserted in the Tariff Schedule would almost certainly stand in need of revision at the end of the year when, according to our usual procedure and in consultation with importers, a new set of values would be fixed for the ensuing year. Thus examination of the values which are now given in the Schedule published at the end of last year by the Department of Commerce and Industry will show that these differ greatly from those originally inserted in the Schedule which formed part of the Act of 1894. We therefore think it advisable to show no tariff values in the proposed Schedule. But we do not propose to abandon this method of assessment, which has considerable advantages to the trade and to the Customs authorities. We propose, as soon as possible after the Bill has become law, to publish, under its clause 3 (2), a Schedule in the alphabetical form to which I have just referred showing the tariff valuations as fixed at the last revision in December, 1915, for those articles in respect of which it has been considered necessary to fix such values.

“Schedule II states the rates of duties which we propose for the export duties on jute and tea. The definition of jute in this Schedule excludes Bimlipatam jute which, though commonly described as jute, is not, botanically, of the same family as the *Corchorus capsularis* or *Corchorus olitorius* grown in Bengal, and does not command the same value as the latter.

“Finally, I may explain, with reference to clause 1 of the Bill, that since the Bill, if passed into law, will have retrospective effect from the 1st of March, it is necessary to provide for the recovery of any duties which may be short levied on the 1st of March and subsequent days until the enactment of the Bill. We have instructed Collectors of Customs to inform the trade that the new duties will be applied on and from the 1st of March so as to give importers and exporters the opportunity of paying duty at the enhanced or new rates immediately, on the understanding that should any change be made during the passage of the Bill in the rate of duty applicable to any particular article, an adjustment will subsequently be made in respect of any sums paid as duty at the rates shown in the Bill. To provide, however, for the case of an importer or exporter declining to make payment at the new rates pending the enactment of the Bill, power has been taken in its clause 1 to recover duty at the rates as they will be when the Bill becomes law under the procedure which already applies in the case of short levies of duty by accident, or negligence, or collusion.

“My Lord, I now move for leave to introduce the Bill to amend the Indian Tariff Act, 1894, and for other purposes.”

The motion was put and agreed to.

**The Hon'ble Sir William Meyer :—**“My Lord, I beg to introduce the Bill, and in view of the urgency which I explained in my speech introducing the Financial Statement, I beg that Your Excellency will be pleased to suspend the Rules of Business to admit of the Bill being at once referred to a Select Committee.”

**His Excellency the President :—**“I suspend the Rules of Business.”

**The Hon'ble Sir William Meyer :—**“My Lord, I beg to move that the Bill be referred to a Select Committee, consisting of the Hon'ble Sir

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William Clark, the Hon'ble Mr. G. R. Lowndes, the Hon'ble Sir Ibrahim Rahimtoola, the Hon'ble Mr. Rayaningar, the Hon'ble Rai Sita Nath Ray Bahadur, the Hon'ble Mr. J. B. Brunyate, the Hon'ble Lieutenant-Colonel I R T. Gurdon, the Hon'ble Mr. C. E. Low, the Hon'ble Mr. F. H. Stewart, the Hon'ble Mr. T. W. Birkett and myself, with instructions to report by the 7th March, 1916."

**The Hon'ble Sir Ibrahim Rahimtoola :—**" My Lord, may I be permitted to say something ?"

**His Excellency the President :—**" There is no discussion to-day. Will you please sit down."

The motion was then put and agreed to.

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## THE INDIAN INCOME TAX (AMENDMENT) BILL.

**The Hon'ble Sir William Meyer :—**" My Lord, I move for leave to introduce a Bill to amend the Indian Income-tax Act of 1886. The object of the proposed legislation is to enhance the revenue obtained from the income-tax. The system of taxation proposed, and the fiscal results anticipated, have been stated in considerable detail in my speech of this morning introducing the Financial Statement for 1916-17, and I explained also that it is proposed to restrict the amendments of the Income-tax Act to those which are necessary to carry out the new scheme of taxation. Any other amendment of the Income-tax Act must wait for a period of greater leisure. I need not go over this ground again now. The new graduated scale contemplated represents, however, a considerable departure from previous practice, and necessarily involves certain changes of procedure, which I now proceed to mention.

"Under the existing Act interest on securities is taxed by deduction at the source. This is the method of assessment ordinarily followed in such cases in other countries. Further, where the system of deduction at the source exists side by side with a graduated scale of income-tax, it is necessary, in order to ensure a full yield, that the claim of the State should be made at the maximum rate in the first instance. This arrangement too is already in force under the existing Act and, as my Hon'ble friends are aware, will be continued. I may mention incidentally that the system of deducting tax at the source is specially necessary in India, as otherwise assesseees under Part I, namely, those taxed on salaries and pensions, would escape paying income-tax on the interest on any securities they may hold, inasmuch as they are not at present required to submit a return of their income from all sources, this being required of assesseees under Part IV only.

"Individual holders of securities are, however, allowed an abatement of the tax paid on interest, or complete exemption, with reference to their position on the graduated scale as determined by their total personal income. Under the existing Act this relief may be obtained before the tax is actually paid, by producing a certificate signed by the Collector to the effect either that the assessee's income is not taxable at all, or is taxable at 4 pies in the rupee instead of 5 pies.

"With the extension of the principle of graduation contemplated in the present Bill, it is felt that this latter arrangement would result in inconvenience. The number of persons—hitherto negligible—who are entitled to claim abatement in respect of income-tax paid on interest on securities will now be considerable, and the retention of the existing procedure for obtaining relief would, amongst other things, involve the risk of delay in the payment of interest. The assessee, we think, would much prefer to have his interest on Government paper, company's debentures and the like paid in regularly and automatically

[*Sir William Meyer ; The President,*] [1ST MARCH, 1916.]

as it falls due, and be left to urge his claim for abatement at his convenience and for all his securities together. It is therefore thought desirable, in the interests both of the taxpayer and of the Administration, that for the future a system of refunds should be prescribed, in lieu of the present system of anticipatory application, as the means of remedying any excess payments of the tax made at the source through the imposition of the maximum rate.

"A similar question of procedure arises as a result of the concession, allowed by the rule of assessment laid down in Part II of the amended Schedule in clause 8 of the Bill, by which individual shareholders in companies are to be granted abatement or exemption calculated with reference to their total personal income. Hitherto this has not been allowed. We feel that the recovery of the enhanced maximum rate now proposed without any provision for remissions would not be equitable or expedient. Following therefore the case of securities, we again propose that, while the tax should be taken at the maximum rate in the first instance, excess payments shall be subsequently refunded on application being made in due course.

"In order to facilitate the working of the refund system in these cases, it is proposed that, in regard to assessments under both Part II and Part III of the Second Schedule prescribed in clause 8 of the Bill, the total annual income of an individual applying for relief shall be taken for this purpose to be the income of the preceding income-tax year. This provides a convenient and equitable criterion which will, amongst other things, enable refund claims to be dealt with more expeditiously than would be possible if it were necessary to wait until the income of the year in which the tax is paid could be ascertained.

"Finally, it is proposed to prescribe a new period of limitation for the presentation of refund claims generally, this period to be one year instead of the three months at present prescribed in regard to cases falling under section 33 of the Act. This seems desirable, in order to smooth still further the application of the new graduated scale and to reduce the risk of hardship to a minimum, and explains the provisions of clauses 5 and 7 of the Bill, while clause 6 makes it clear that the rule-making power given by section 38 of the present Act is to extend also to the procedure to be followed on applications for refund.

"One other matter may be mentioned, namely, the provision in clause 4 of the Bill, which will have the effect of determining compositions effected under section 31 of the existing Act when the new rates of taxation come into operation. The amendment proposed takes the form of a general and permanent provision, as it is desirable, in view of the possibility of future modifications of the income-tax rates, that the law should be so framed as not to permit of any arrangement being made, special to individual taxpayers, which will prevent a new rate of income-tax—be this in the shape of enhancement or reduction—from becoming fully operative immediately on its introduction.

"With these remarks, My Lord, I beg leave to introduce the Bill."

The motion was put and agreed to.

**The Hon'ble Sir William Meyer :—**"My Lord, I now introduce the Bill. I have already explained its main provisions, and in view of the urgency of the case, which I have also explained, I beg that Your Excellency will be pleased to suspend the Rules of Business to admit of the Bill being referred at once to Select Committee."

**His Excellency the President :—**"I suspend the Rules of Business."

**The Hon'ble Sir William Meyer :—**"My Lord, I move now that the Bill, be referred to a Select Committee, consisting of the Hon'ble Mr. G. R. Lowndes the Hon'ble Sir G. M. Chitnavis, the Hon'ble Sir Fazulbhoy Currimbhoy, the Hon'ble Rai Sita Nath Ray Bahadur, the Hon'ble

[1ST MARCH, 1916.]

[ *Sir William Meyer ; Pandit Madan Mohan Malaviya ; The President.* ]

Mr. J B Brunyate, the Hon'ble Mr. W. H Cobb, the Hon'ble Mr. R E. V. Arbuthnot, the Hon'ble Khan Bahadur Mian Muhammad Shafi, the Hon'ble Mr. T. W Birkett, the Hon'ble Mr L. Davidson and myself, with instructions to report by the 7th March, 1916."

**The Hon'ble Pandit Madan Mohan Malaviya :—**" May I have Your Lordship's permission to say a few words?"

**His Excellency the President :—**" There is no discussion on the Financial Statement, and this, I consider, is a portion of that Statement."

**The Hon'ble Pandit Madan Mohan Malaviya :—**" May I submit for Your Excellency's consideration—."

**His Excellency the President :—**" You can submit afterwards. Not now."

The motion was then put and agreed to.

The Council adjourned to Tuesday, the 7th March, 1916.

A P. MUDDIMAN,

*Secretary to the Government of India,*

*Legislative Department.*

DELHI ;

*The 8th March, 1916.*



## APPENDIX A.

(Referred to in Answer to Question No. 8)

Statement showing details of sanatoria for tuberculosis in India

Province.	Total number of sanatoria for tuberculosis in province.	NUMBER OF INSTITUTIONS UNDER		Extent and kind of Government assistance.
		Government management.	Private management.	
Madras . . . . .	1	<i>Nil.</i>	1	One half of the cost of maintenance subject to a maximum of Rs10,000 a year.
Bombay . . . . .	3	<i>Nil.</i>	3	<i>Nil.</i>
Bengal . . . . .	<i>Nil.</i>	Grants varying from Rs1,800 to Rs10,000 (total Rs67,550) made for construction of phthisical wards at 18 local fund hospitals, local funds bearing cost of upkeep. One phthisical ward is maintained by Government. Contribution of Rs10,000 made to a ward at Presidency General Hospital, Calcutta, which will shortly be ready. There is also a ward at Lewis Jubilee Sanitarium at Darjeeling to which Government have not specifically contributed.		
United Provinces . . . . .	2	<i>Nil.</i>	2	Yearly grant of Rs3,000 in one case and yearly grant of Rs17,000 in the other.
Punjab . . . . .	1 (With a hospital for advanced cases.)	<i>Nil.</i> (With a hospital for advanced cases.)	1	Building grant of Rs30,000 during current year. (The hospital belongs to Patiala State.)
Burma . . . . .	<i>Nil.</i>	<i>Nil.</i>	<i>Nil.</i>	<i>Nil.</i>
Bihar and Orissa . . . . .	"	A ward for special treatment of tuberculosis is nearing completion in Ranchi, and it is proposed to build others near selected sanatoria hospitals. Initial cost will be borne by Government and maintenance charges by local bodies administering the hospitals concerned.		
Central Provinces . . . . .	} <i>Nil.</i>	<i>Nil.</i>	<i>Nil.</i>	<i>Nil.</i>
Assam . . . . .				
North-West Frontier Province . . . . .				
Coorg . . . . .				
Delhi . . . . .				

## APPENDIX B.

(Referred to in Answer to Question 12)

Statement shewing the action taken in regard to hostile trading concerns in India.

	(1) NUMBER OF HOSTILE TRADING CONCERNS WHO WERE GRANTED INDIVIDUAL LICENCES.		(2) NUMBER OF HOSTILE TRADING CONCERNS.					(3) Balances credited to Government up to the 15th Janu- ary 1916 on account of the assets of concerns liquidated or under liquidation.	(4) Estimated value of assets of con- cerns liquidated or under liquida- tion which remained to be collected on the 15th January 1916.
	(a) To trade for the purposes of liquidation only.	(b) To continue trading under control or other- wise.	(a)			(b) Whose liquidation has been so far completed that they are now licensed only to dispose of indent stocks, to collect debts or to conduct suits.			
			Whose licences for the purposes of liquidation have expired or been revoked.	Whose licences to trade under control or otherwise have been revoked.	Whose applica- tions for licences have been refused.				
Province.	2	3	4	5	6	7	8	9	10
Bengal . . . . .	17	57	17(a)	7	6	10	7	Lakhs. R39-24*	Lakhs. R20-90
Bombay (including Sind and Aden) .	33	33	31(a)	1	22	23	8	„ 75-93	„ 23-17
Burma . . . . .	14	13	...	...	...	10	1	„ 10-76	„ 5-20†
Oudh Provinces . . . . .	9	29	2	3	11	7	...	„ 0-16†	„ 7-48
TOTAL .	73	132	50	11	39	50	16	R126-09	R55-85

(a) Out of these the number of firms shown in column 8 have been granted the special licences described in that column.

\* About R10 lakhs more is likely to be shortly credited to Government in Bengal.

† About R0-73 lakh is likely to be shortly credited to Government in Madras.

‡ This excludes the value of mills and real property owned by rice milling firms.



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Tuesday, the 7th March, 1916.

PRESENT :

The Hon'ble SIR WILLIAM CLARK, K.C.S.I., C.M.G., Vice-President, *presiding*,  
and 53 Members, of whom 46 were Additional Members.

OATH OF OFFICE.

The Hon'ble Mr. Charles Evelyn Arbuthnot William  
Oldham made the prescribed oath or affirmation of allegiance to the Crown.

QUESTIONS AND ANSWERS.

The Hon'ble Mr. Rama Rayaningar asked :—

1. "(a) Is it a fact that in some Provinces in schools for Indian girls, English is used as the medium of instruction in the third and lower forms, while, generally, vernaculars form the media of instruction in those forms in schools for boys?"

Adoption of  
the vernacu-  
lars as the  
media of  
instruction  
in Indian  
schools.

(b) Do Government propose to instruct Provincial Governments and Administrations to issue orders to educational departments for the adoption, generally, of the vernaculars as the media of instruction in schools for girls in cases where the parents so desire?"

The Hon'ble Sir C. Sankaran Nair replied :—

"It is understood that the Hon'ble Member refers to a girls' school which recently formed the subject of a Resolution in the Madras Legislative Council,

[ *Sir C. Sankaran Nair; Mr. Rama Rayaningar; Sir Reginald Craddock.* ] [ 7TH MARCH, 1916. ]

and in which the medium of instruction in most subjects from the third standard upwards is English. The Government of India have no information as to whether a similar arrangement is adopted in any girls' schools in other Provinces, but can make inquiries if the Hon'ble Member so desires. As regards boys, the medium of instruction in forms in other Provinces below those corresponding with the fourth form in Madras is not necessarily the vernacular. A description of the present state of affairs is to be found in the diagram facing page 71 of 'The Progress of Education in India, 1907-12,' being the sixth quinquennial review.

It is not the intention of Government to issue any such general instructions as are suggested, but as explained in this Council on the 17th March, 1915, it is proposed, after the war, to make a reference on the subject of vernacular as the medium of instruction—a course to which the Hon'ble questioner agreed. In the meantime, Local Governments are being addressed on the subject of female education generally."

**The Hon'ble Mr. Rama Rayaningar** asked :—

2. "(a) Is it a fact—

(i) that there is only one representative on this Council for both Zemindars and Giroty landholders of the Madras Presidency; and

(ii) that the Zemindars owning permanently settled estates and the Giroty landholders holding temporarily settled lands have separate and often conflicting interests?

(b) If so, has the attention of the Government of India been drawn to the existence of such separate and conflicting interests?

(c) If the answer to (b) is in the affirmative, do the Government of India propose to consider the question of securing the separate representation on this Council of these two different interests either—

(i) by the creation of an additional Membership for a representative from the Madras Presidency, or

(ii) by providing that one of the two Members of this Council representing the non-official Additional Members of the Madras Legislative Council shall be a person having substantial interest in temporarily settled lands?

(d) If the answer to (b) is in the negative, do the Government of India propose to address the Madras Government on the subject?"

**The Hon'ble Sir Reginald Craddock** replied :—

"It is the case that only one Member of the Imperial Legislative Council is elected by the landholders in the Presidency of Madras, the same being true of landholders, as such, in Bombay, Bengal, the United Provinces, Bihar and Orissa and the Central Provinces. It is also the case that for the election of Members to the Provincial Legislative Council by the landlord class, there are two electorates, namely those of Zemindars, and landholders other than Zemindars, respectively. When the Council Regulations were under discussion in 1909, the Madras Landholders Association, among others, represented that the interests of landholders as a class in Madras were not identical, and hence the two electorates for the Provincial Council. At that time, however, it was the opinion of the Local Government that for the Imperial Council one electorate would suffice. The Hon'ble Member apparently desires in one way or another to secure two representatives in the Imperial Council for the landholding classes in Madras, presumably with two electorates, but constituted as the Council now is, neither of his suggested expedients is consistent with its general scheme, and, as at present advised, the Government of India do not propose to move in the matter."

Separate representation on the Imperial Legislative Council of the Zemindars and Giroty landholders of the Madras Presidency.

[ 7TH MARCH, 1916. ] [ *Mr. Rama Rayaningar ; Sir Reginald Craddock ; Maharaja Sir Manindra Chandra Nandy ; Sir C. Sankaran Nair ; Mr. C. H. A. Hill.* ]

**The Hon'ble Mr. Rama Rayaningar** asked :—

3. “ (a) Do the Government of India propose to consider the desirability of introducing an increased scale of salaries for Sub-Judges, District Munsiffs and clerks of the Registration Department in the Madras Presidency ? ”

Salaries of the Provincial Judicial Service and the Registration Department, Madras.

(b) Have the Government of India received any communication on the subject from the Madras Government ? If so, do the Government of India propose to pass early orders in the matter ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ The Secretary of State last year sanctioned a scheme including a substantial enhancement of the rates of pay of the clerical establishment in Registration offices in the Madras Presidency. The introduction of the scheme depends, however, on the ability of the Local Government to finance it.

The Government of India have not received any proposals from the Government of Madras for raising the emoluments of Subordinate Judges or District Munsiffs in the Presidency.”

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

4. “ Will the Government be pleased to lay on the table the report of the Simla Improvement Committee which sat under the presidency of Mr L Porter, C.S.I., C.I.E., late Secretary to the Government of India in the Education Department ? ”

Simla Improvement Committee.

**The Hon'ble Sir C. Sankaran Nair** replied :—

“ The report of the Simla Improvement Committee, 1914, is still under consideration, and cannot therefore be published at present.”

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

5. “ Will the Government be pleased to state the total number of officers recruited for the Imperial Archæological Department since the creation of the Department by Lord Curzon ? ”

Recruitment of officers for the Imperial Archæological Department.

**The Hon'ble Sir C. Sankaran Nair** replied :—

“ The total number of officers recruited for the Imperial Archæological Department in India and in England since the beginning of the year 1902 is 20, of whom, 13 are at present in the Department. A list\* of the officers recruited is placed on the table.”

**The Hon'ble Maharaja Sir Manindra Chandra Nandy** asked :—

6. “ Will the Government be pleased to state the amount of the total annual recurring charges for the establishment of officers of the Imperial Agricultural Department, including the appointment of Agricultural Adviser to the Government of India ? ”

Annual recurring charges for the establishment of officers of the Imperial Agricultural Department.

**The Hon'ble Mr. C. H. A. Hill** replied :—

“ I lay on the table a statement† which will, if his question has been correctly understood, give the information desired by the Hon'ble Member.”

\* *Vide* Appendix A.

† *Vide* Appendix B

[ *Sir Fazulbhoy Currimbhoy*; *Mr. C. E. Low*; [ 7TH MARCH, 1916. ]  
*Sir Reginald Craddock*; *His Excellency the Commander-in-Chief.* ]

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

Develop-  
ment of  
Indian  
trade.

7. “ (a) Is it a fact that Trade Commissioners from the British Colonies visit the different countries of the world from time to time for the ascertainment of the possible lines of development of the Colonial export trade ?

(b) Is such a Commission now in India examining the strength of the market in the interests of Canada ?

(c) Have Government considered the advisability of sending round similar missions for the purpose of studying the foreign market for Indian commodities ?

(d) If the answer to (c) is in the negative, do Government propose to make an attempt now in the abnormal conditions consequent upon the war ? ”

**The Hon'ble Mr. C. E. Low** replied :—

“ (a) Several British Colonies possess Trade Commissioners or Trade Correspondents in various countries, and the Government of India believe it to be a fact that Trade Representatives are also occasionally sent on special missions of the kind indicated in the question.

(b) The Government of India understand that this is so.

With regard to (c) and (d), the Government of India appointed an Indian Trade Commissioner in London temporarily for a few months last year, and the question of making a permanent appointment is under consideration. They have also had under consideration, from time to time, the question of establishing Trade Agents abroad, but it is not possible to indicate at present whether any action in this direction can suitably be taken.”

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

Advisory  
Committees  
of Hindus  
and Moham-  
madans for  
the preven-  
tion of  
Hindu-Mos-  
lem riots.

8. “ (a) Were Advisory Committees of Hindus and Mohammadans formed during 1914 in the Punjab, the United Provinces and other Provinces for the prevention of Hindu-Moslem riots ?

(b) If so, have the Government of India received any reports about their working ?

(c) If the answer to (b) is in the negative, do the Government of India propose to ask the Provincial Governments concerned to submit detailed reports on the working of the Committees ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ I would refer the Hon'ble Member to the Home Department Communiqué of the 10th December, 1915, which described the action taken and the conclusions arrived at as the result of his Resolution on the subject of Conciliation Boards. The correspondence with Local Governments gave instances of a few Advisory Committees appointed in 1914, and briefly indicated the results achieved. These were not so encouraging as to make it expedient to call for further detailed reports upon the subject, and it is therefore not proposed to take any further action in the matter.”

## THE FOREIGNERS (TRIAL BY COURT-MARTIAL) BILL.

**His Excellency the Commander-in-Chief:**—“ Sir, I beg to move for leave to introduce a Bill to provide for the trial, by court-martial, of foreigners for offences against the Defence of India Rules. In doing so, it is hardly necessary for me to point out that it is essential, in time of war, to deal speedily and summarily with offences committed by foreigners against the

[ 7TH MARCH, 1916. ] [ *His Excellency the Commander-in-Chief ; The Vice-President ; Sir William Meyer* ]

State, more especially with acts of espionage, and the collection and communication of intelligence likely to be of use to the enemy. It was with this object that an Ordinance was recently made providing for the trial by court-martial of any person other than a subject of His Majesty accused of offences against the Defence of India Rules. This Ordinance, like other Ordinances, is limited in duration to a period of six months, but the provisions contained in it will obviously be required until the end of the war. It is accordingly proposed to convert the Ordinance into an Act, and the present Bill is designed to give effect to this proposal."

The motion was put and agreed to.

**His Excellency the Commander-in-Chief ;**—" Sir, I beg to introduce the Bill, and to move you to suspend the Rules of Business to admit of the Bill being taken into consideration."

**The Hon'ble the Vice-President :**—" I suspend the Rules of Business."

**His Excellency the Commander-in-Chief :**—" Sir, I move that the Bill be taken into consideration."

The motion was put and agreed to.

**His Excellency the Commander-in-Chief :**—" Sir, I move that the Bill be passed."

The motion was put and agreed to.

## THE INDIAN TARIFF (AMENDMENT) BILL.

**The Hon'ble Sir William Meyer :**—" Sir, I beg to present the Report of the Select Committee on the Bill to amend the Indian Tariff Act, 1894, and for other purposes. The Report is now in the hands of Members, and I need only emphasize one little point, and that is, a slight amendment we have made in Schedule III.—Export Tariff.

" As I explained in my speech introducing the Financial Statement, we proposed to provide for a special rate on jute 'rejections' lower than the ordinary rate. After conferring with representatives of the Jute Trade, and having had the benefit of the attendance of Mr. Birkmyre as an expert witness before the Select Committee, we are led to the conclusion that the 'rejections' form really a very small portion of the raw jute articles that will pass through the customs ; that it would be difficult to distinguish in regard to them in many cases ; and that, on the whole, it would be better not to put rejections in a separate category. Fiscally, this will be somewhat to the good, since 'rejections' will now be taxed at the rate for jute of other descriptions, *i.e.*, other descriptions than cuttings.

" There were other points on which there was some discussion in the Select Committee. The Hon'ble Sir Ibrahim Rahimtoola proposed that there should be a 6 per cent duty on piece-goods ; that suggestion did not commend itself to the Committee as a whole, for the reasons stated in paragraph 2 of the Committee's Report. Similarly, a proposal made by the Hon'ble Mr. Stewart in respect of free railway material which had been ordered prior to the date from which this legislation is to come into force, and some suggestions he put to us that the Tea trade was not in a condition to justify the imposition of an export duty, were not accepted by the Committee as a whole. They are referred to in paragraphs 3 and 5 of the Report.

"I should like here to take the opportunity of emphasizing a matter which I thought I had made clear previously in my speech introducing the Bill, but which I see is still a subject of misapprehension, judging, for instance, from a telegraphic communication I have received from the South Indian Chamber of Commerce. Well, to take existing conditions, our general tariff is 5 per cent. and this is 5 per cent. *ad valorem*. Obviously, in the case of a great number of articles which are subject to fluctuations of price, it is alike to the convenience of Government and of trade to have a *valor*, the amount on which duty would be paid, definitely fixed from time to time. Otherwise, you would have constant 'value' examinations in the customs, and probably the anomaly, every now and then, of different valuations at different ports. So when the Import Tariff Schedule of 1894 was framed, in the case of a great many articles, our predecessors put down a specific tariff valuation on which the customs officers were to act. It is perfectly clear, however, that such a tariff valuation must, from time to time, be revised with the course of prices. If prices were to rise materially, the existing tariff valuations would be unfair to the Government as representing the community as a whole; if they were to fall, the tariff valuations would be unfair to those who have to pay the tax. Consequently, these tariff valuations come under reconsideration every year and fresh valuations are issued, the Government of India having power to do this under section 22 of the Sea Customs Act, which runs as follows:—

'The Governor General in Council may, from time to time, by notification in the Gazette of India, fix, for the purpose of levying duties, tariff values of any goods exported or imported by sea on which customs duties are by law imposed, and alter any such values fixed by any Tariff Act for the time being in force.'

"The result is that all these tariff valuations that were inserted in the existing Act are now ancient history; they are of no practical value whatever, and have been superseded by other more recent valuations. When we framed the present Bill, it seemed to us that there was no use in stultifying the Government and the Legislature by putting down these ephemeral tariff valuations in the Schedule of the Bill. We shall leave them to be fixed as before, year by year, under the authority of the Governor General in Council, but subject of course to the general enactment of the law that the duty levied must represent  $7\frac{1}{2}$  per cent. *ad valorem*, or  $2\frac{1}{2}$  per cent. *ad valorem*, or whatever the *ad valorem* rate may be. It is merely a procedure by which, for the benefit alike of the trade and of the Customs authorities, the Government translates, from time to time, into actual terms what the value is on which the duty shall be levied. The clause in the Bill—sub-clause (2) of clause 3—which governs the procedure is as follows:—

'The Governor General in Council may, by notification in the Gazette of India, fix, for the purpose of levying the said duties, tariff values of any articles enumerated, either specifically or under general headings, in the said Schedules as chargeable with duty *ad valorem*, and may alter any tariff values for the time being in force.'

And sub-clause (3) says:—

'Different tariff values may be fixed for different classes or descriptions of the same article.'

"As I explained in my speech introducing the Bill, we propose, as soon as possible after the Bill has become law, to publish under clause 3 (2) a Schedule in an alphabetical form for the convenience of the trade and of the Customs authorities, showing the tariff valuations as they were fixed at the last revision in December, 1915, for those articles in respect of which it has been considered necessary to fix such values, and these will remain in force till the next revision. I trust I have now made it quite clear that the South Indian Chamber of Commerce are under a misapprehension when they talk of 'the abolition of tariff values and of the introduction of an *ad valorem* duty all round'. The duty has always been an *ad valorem* duty in these cases, and remains an *ad valorem* duty. But for the sake of convenience the *valor*, the value, is fixed for specified periods and then revised, and this will remain the case still.

[ 7TH MARCH, 1916. ]

[ *Sir William Meyer ; The Vice-President ; Sir Gangadhar Chitnavis.* ]

“ There is one more point I may notice here because it has not been the subject of any amendment, and that is our 7½ per cent duty on pearls. We have received representations from Bombay stating that this will be a great hardship, in view of the fact that the bulk of the pearls are imported into India from the Persian Gulf and are then re-exported. India is thus a sort of middle-man in this business, and those who object to the duty say that, by putting such a large import duty on pearls, we shall kill the trade, which will go elsewhere. Well, the Sea Customs Act provides, ordinarily, that where an article is imported and then re-exported within a definite period, 7-8ths of the import duty will be refunded as a drawback. The article has, however, to be identifiable. Some of the authorities we have consulted say that the pearls will, generally speaking, be identifiable ; others are rather doubtful on the subject. We are not therefore in a position to come to a definite decision in this matter. We propose, consequently, to keep the provision of the Schedule relating to pearls, but to prosecute our inquiries further. If we find that there would be difficulty in identifying the pearls, or that for any other reason the duty we propose will have a really prejudicial effect on the pearl trade, an effect which we have no desire whatever to bring about, why then, we shall act under section 23 of the Sea Customs Act and exempt them from duty or give them certain concessions. Sir, I now beg to move you to suspend the Rules of Business to admit of the Report of the Select Committee being taken into consideration ”

**The Hon'ble the Vice-President :—** ‘ I suspend the Rules of Business.’ ”

**The Hon'ble Sir William Meyer :—** “ I now move that the Report of the Select Committee be taken into consideration.”

**The Hon'ble Sir Gangadhar Chitnavis :—** “ Sir, the Bill before us will command general approval, although the reason why it has been undertaken is regrettable. The deficit in our finances must be disquieting, especially because the Hon'ble the Finance Member thinks it is not likely to disappear for some time. Let us hope this fear is unfounded. The elasticity of the Indian revenue has always been a matter of surprise and satisfaction both here and in England, and there is much to be said for the view that its normal expansion in times of peace will be sufficient to cover all our liabilities. This optimism is further justified by the fact that a close scrutiny of our public expenditure would reveal items about the paramount urgency of which opinion might well be divided. In difficult times like these, large expenditure on unproductive construction work would appear questionable. The explanation does not appeal to me as conclusive. But a debate on the subject might embarrass Government, and there is no disposition in any quarter to do this. We therefore loyally accept the assurance that additional taxation has become necessary, and support the present scheme of such taxation with the greater alacrity in that it is based upon an equitable principle of distribution. And more than that : it is to some extent a sign that Government is more in touch with popular opinion. The revision of the tariff has all along been demanded by us, Indians, irrespective of the question whether or not such revision is necessary in the exigencies of our public finance. The fact that it has now become necessary is an additional point in its favour. But the exclusion of imported cotton piece-goods from the revised tariff must be viewed with keen disappointment. It is some comfort to be assured that this Government has tried to do us justice in this matter ; it is likewise a hopeful sign that, on conclusion of peace, the whole question of the cotton duties and the countervailing excise duty will be carefully considered, along with the adumbrated scheme of an Imperial Federation founded upon inter-Imperial preference. We look to the Government of India to show itself as the watchful and earnest guardian of our interests in the framing of this scheme. When

[ *Sir Gangadhar Chitnavis ; Sir Fazulbhoy .* [ 7TH MARCH, 1916. ]  
*Currimbhoy.* ]

I moved, in 1913, my Resolution about Preferential Tariffs, I had hardly expected that the suggestion would materialise so soon ; but this war has proved a powerful solvent of old ideas, and new economic theories have forced themselves into public attention. It is natural that a Customs Union among the different units of the British Empire is already in view.\* Let us earnestly hope its inauguration will be marked at least by the repeal of the unjust cotton excise duty and a reasonable advance in our import duties upon cotton manufactures. From what we know of the present Viceroy and his Government, we have every confidence that they are doing their duty in imposing the new taxation under inevitable circumstances. I, therefore, beg to support the Bill, subject to such remarks as I may perhaps make in support of the amendments proposed by some of my friends."

**The Hon'ble Sir Fazulbhoy Currimbhoy :—**" Sir, the uncertainties of the situation both military and financial, if nothing else, force our assent to the Bill. In the crisis before us one cannot be sure of the future, and the accuracy of the Budget estimates is more or less a matter of chance. If the military necessities of the Indian Empire do not call for sudden extraordinary expenditure in the course of the next year, the actual expenditure will not probably exceed the estimated expenditure. But if extraordinary expenditure becomes necessary, the actual may far exceed the estimate. On the revenue side also the same element of uncertainty exists. So much depends upon the monsoon and the free and unrestricted movements of trade and commerce. Even the revenue from the customs duties and the export duties depend upon an adequate supply of tonnage, a factor always uncertain in war times, has become especially so in consequence of the new methods of warfare adopted by the enemy and the gradual extension of military operations over whole Continents. Precision in calculation of our future expenditure in these circumstances cannot be counted upon. Our reserves, both here and in England, must be maintained in their entirety, and any temporary depletion must be made good at the earliest opportunity. With all the prudent management of our finances, for which the Hon'ble Sir William Meyer deserves all credit, we have still temporary sterling liabilities on account of the Secretary of State's borrowings. And the sterling exchange may have for us surprises in the future ; no one can be sure when, how long, and to what extent the expedient of the sale of reverse bills may have to be resorted to. These operations, as can well be realised, however sufficient as provisional arrangements, help to add to our financial liabilities after the war. A careful survey of the whole position will thus reveal the fact that the ordinary resources of this Government may prove inadequate for our needs. However loath, therefore, I may be ordinarily to support additions to our taxes, especially when they are expected to result in a fairly big surplus, I fully believe they have become necessary, even though I hold that our commercial prosperity at the end of the war will substantially increase our revenue in more directions than one. There may not after all be a surplus ; the yield from the proposed taxes may fall short of the estimate ; at the close of the next year, instead of having a large surplus to dispose of, we may have to face a deficit. With restricted scope for loan operations in India, and the London market practically cut off for sometime to come, it would not therefore be just to fret at fresh taxation.

" Now the necessity of additional taxation premised, Government arrangements must appear well devised to every dispassionate critic. It is clear Government have done their best under His Excellency's noble initiative. The taxation proceeds upon the most enlightened principles of distribution, and the Tariff Bill must appeal to all as reasonable. It is, in the first place, welcome as a concession to public opinion. There has been for some time past a growing desire in the country for a heavy tariff. Indian public opinion is now, to all intents and purposes, unanimous about its urgency. But a scrutiny into its merits is unnecessary. It is obvious that, when additional taxation has been forced upon us, considerations of policy at least would justify its adoption. I do not, however, think the tariff proposed is after all so heavy. But be that as it

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[*Sir Fazulbhoy Currimbhoy.*]

may, the Bill means a welcome departure in our fiscal policy. The next agreeable feature of the Bill is that the taxes have been so adjusted as to secure the largest portion of the revenue from the rich, just the classes of men who are able to bear the strain, and who owe all their wealth to the security, both inland and oversea, ensured by the British Government and to the facilities of international commerce provided by our connection with that Government. It is certainly not my contention, neither is it the Hon'ble Finance Minister's contention, that improvements as regards details are not conceivable. The Hon'ble Sir William Meyer himself admits that an enhancement in the import duties upon cotton goods simultaneously with the abolition of the countervailing excise duty would have been just and would have been acceptable to Government. But in view of his explanation on the point, criticism would not further our cause. On the contrary, it might do us harm, as pointed out by His Majesty's Government. Hon'ble Members will note that the abolition of the excise duty is by far the more important of the two questions, and so long as that is not secured, we cannot gain our point. So far as the principle and the special needs of the Indian cotton industry are concerned, it is a comparatively minor matter whether the import duties upon cotton goods are raised by a few points or not. It has been felt now for decades, both by officials and the Indian public, that duties upon imported cotton goods are required for purposes of revenue, and quite naturally. The value of our annual cotton imports is enormous. These should therefore be one of the most productive sources of our revenue. But this source, so far, has not been, and could not be, utilised on account of this countervailing excise duty. Already the excise duty is a clog to the industry, and even a slight increase in it would prove positively injurious. As matters stand at present, however, the two duties go together, an enhancement in the customs duty being counter-vailed by a similar enhancement in the excise duty. The great point accordingly is, the excise duty must go on principle. And once we succeed in getting this abolished, we shall have made a substantial advance in the matter of fiscal freedom which we all so desire. We feel encouraged that the Government of India is with us in this matter, and is fighting our cause with all the weight of its position and authority. I would not embarrass such a powerful and earnest champion with ill-timed controversy over this question. Government has the moral support of the whole country. Our Congresses and Industrial Conferences have repeatedly demanded the abolition of this excise duty. Non-official Members of this Council have before now echoed the feeling of the country. When the war ceases there will be no lack of opportunity to express once again our united opinion on the subject, should such an expression of opinion be found necessary. I accordingly hold that no good purpose will be served by agitating the point now.

"Sir, it would have been well, it would certainly have been more consonant with public feeling, if in the Schedule to the Bill the duty upon salt had not been increased, and the estimated revenue from the additional duty had been raised from some other source, say jute. But, on a careful consideration of all the circumstances, I do not press for a readjustment. I cannot ignore the fact that Government themselves do not favour an increase in the salt tax. Their policy has been to reduce it on every accession of prosperity. There is a consensus of official opinion that the salt tax should be held back as a sort of reserve to be used only when other resources fail. The traditions of this Government are against an increase in this tax because, as the Hon'ble Sir William Meyer puts it, it hits the poor consumer. It is only fair, therefore, to assume that Government in this matter have yielded to pressure. But as it is, the additional 4 annas per maund may not prove very oppressive. I would, however, appeal to Government to repeal it at the earliest opportunity, and, until that consummation takes place, to see that even in the case of future necessity there is no further loading, and the necessary additional income is got by increasing the export duty upon raw jute and jute manufactures. The Hon'ble Sir William Meyer has referred to the expert opinion that jute exports can very well bear heavy export duties. A heavier export duty on jute would thus have been justifiable even in this Bill, but the cautious advance made by

[ *Sir Fazulbhoy Currimbhoy ; Mr. Dadabhoy.* ] [ 7TH MARCH, 1916. ]

Government in this direction is perhaps the most advisable. This is an altogether new tax in India, and a stiffer tariff in the beginning might have been productive of unnecessary clamour. It is prudent to watch developments.

“ Sir, I must here point out that this Tariff Bill will operate harshly upon the Indian pearl trade unless supplemented by a Government notification, under section 23 of the existing Indian Tariff Act, exempting from duty the pearls imported into Bombay from the Persian Gulf. The imports mostly come for assortment and expert treatment by the Indian traders and artisans, and fully 75 per cent of the pearls are re-exported oversea. Bombay has so far been the distributing centre of the pearl trade of the world. The volume of business done is something enormous. About two crores worth of pearls are imported annually into India, while the exports are valued at three and a half crores, the difference in value being due to increase in value of the re-exports after being cleaned, refined, subjected to difficult chemical processes, drilled, sorted and strung, as also to some extent to outgoings from old stock. The business gives employment to hundreds of skilled workmen and traders ; but the whole trade will be diverted from India if the pearls are not exempted from the new duty. Continental firms, it is well to bear in mind, are watchful, but up to now have failed to wrest the trade from us. If, however, this  $7\frac{1}{2}$  per cent duty is maintained, it will have the sure effect of discouraging imports into India. This contingency will spell disaster to the Indian industry and ruin to a numerous body of traders and skilled workmen. The danger is so great, that the Indian Merchants' Chamber and Bureau has wired earnest representations to you, Sir, and to me. It may be urged that a drawback could be claimed under section 43 of the Indian Tariff Act, upon pearls re-exported from Bombay. Section 43 no doubt provides for the grant of a drawback upon re-exports, but that only in the case of goods ‘capable of being identified.’ Now, pearls are notoriously incapable of easy identification, especially because they are imported in mixed bulks. And it was because of this difficulty that Government have all along exempted them from duty. Unless similar exemption is allowed on the present occasion also, and a notification under section 23 issued by His Excellency in Council exempting pearls from customs duty under the Bill, the greatest injustice will be done to a large body of useful and law-abiding citizens who bring prosperity to the country by their industry and skill. I am glad that the Hon'ble the Finance Minister has given his assurance that he is going to inquire into the matter, and if it is found that it will ruin the trade, he will exempt it.

“ In conclusion, I beg to accord my warm support to the Bill under discussion, and, in doing so, I must especially thank the Hon'ble Finance Minister for accepting the suggestion of the Indian Merchants' Chamber and Bureau, submitted through you, Sir, and increasing the customs duty upon gold and silver thread and other silver manufactures imported into India from foreign countries. The conditions of competition have now been equalised for the Indian silversmiths.”

**The Hon'ble Mr. Dadabhoy :—**“ Sir, I welcome this Bill, not so much for the revenue the alterations in rates provided in it will yield, but for the evidence it contains of a decided and, I hope and trust, a permanent change in the fiscal policy of this Government. The present scheme of taxation, thanks to the sympathetic initiative of the Hon'ble Finance Minister, is in agreement with the oft repeated suggestions of the people. Public opinion in India has all along demanded that Government should have a heavy tariff, not only for purposes of revenue, but also for the protection it is likely to afford to our industries. With years the feeling has gained in strength and persistency until we have reached a stage when opinion has become practically unanimous. But so long this Government could not accede to our request, however anxious they may have been to take the suggested departure. This war, however, has facilitated the adoption of the desired policy, and now that Government has launched this new scheme, it is only to be expected that the action should meet with general and cordial approval. The Indian public will only look

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forward with hope to the maintenance of the increased scale of import duties for a sufficiently long time. Should the Hon'ble Sir William Meyer's estimate of our future liabilities prove correct, all the additional revenue required may be easily had by judicious handling of the tariff. We should be ready to support Government if after a few years the duties now imposed have to be further enhanced.

"Sir, it may be argued that even a protective tariff has its disadvantages, and under prolonged strain its utility might become obscured and the general public might become restive; but, thanks again to the judgment the Hon'ble Sir William Meyer has brought to bear upon it, the whole arrangement is so carefully planned, that the masses will not feel the weight of the imposts so much as the rich. Barring two items, salt and sugar, the articles heavily taxed are exactly those which are used most by the better classes,—people whose patriotism and broader outlook will prove a powerful corrective of any feeling of impatience at the duties. About salt, I shall have to speak more fully later on in connection with the amendment relating to the additional tax upon it standing in my name. Sugar is undoubtedly one of the principal articles of food in India, and the increased duty upon it might at first sight appear onerous to the masses. But, in addition to the reasons given by the Hon'ble Sir William Meyer in support of the tax, Hon'ble Members will be pleased to consider that locally produced raw sugar or *gur* forms the chief article of consumption among the common people. These do not ordinarily use the imported refined sugar, and, except for use in moderate quantity on ceremonial occasions, that is seldom purchased by the simple villager. Indeed, whole villages would be found without a stock of it even in pre-war days when cheap beet-sugar ruled the market. It is true, inflation in the price of the imported article in consequence of the customs duty will have its effect upon the local stuff, but the rise in the price of this last article is bound to be small. This slight rise the people should not object to pay, especially at this juncture. This is a war towards the cost of which the rich and the poor alike must contribute, and when the rich cheerfully accept the higher taxes, the poor have no just cause for complaint for the slightly increased demand upon his purse. Besides, the country has all through the past quarter of a century and more demanded that some sort of protection should be ensured to the local manufacture, the development of which will contribute to rural prosperity in many parts; and when the much-needed protection is afforded by Government in the shape of heavy duties upon imported sugar, it is not for us to turn round and grumble at a slight rise in prices.

"In the debate on this Bill the main points which call for serious comment are (1) the retention of the countervailing excise duty upon Indian cotton, (2) the omission to levy the higher scale of customs duties upon our cotton imports, and (3) the exclusion of raw cotton from the new scheme of export duties. With regard to the first two points, the Hon'ble Finance Member has offered an explanation about the sufficiency of which difference of opinion is permissible. Clearly Government is in no doubt about the iniquity of the excise duty. Even five years ago when I moved in Council a Resolution for its abolition, indications were not wanting that Government was sympathetic, and now official opinion appears to coincide with the popular view that this duty must be abolished on principle, apart from any consideration of its economic effect upon the local cotton industry. In a general revision of the tariff it was to be expected that this would be done. It would have been well if the duty had been abolished. The action of His Majesty's Government in preventing the abolition must be viewed with keen disappointment throughout the country. The inclusion of imported cotton piece-goods among the articles liable to pay the enhanced duties, again, would have secured to Government universal support from the people, and this at a crisis when popular good-will is of the last importance. Here, too, the policy pursued by the Imperial Government must be characterised as narrow and shortsighted. But agitation on these points would embarrass Government, and that would not be right. It might also, to some extent, injure our cause.

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We must live in hopes that a decision in conformity with Indian opinion and Indian sentiment will be come to after the war. It is something to know that this Government is doing its best to secure justice to India. With such powerful support the wishes of 300 millions of people cannot be disregarded by His Majesty's Government.

"With regard to raw cotton, the case is slightly more complicated. The Hon'ble Finance Member has drawn our attention to the fact that the market for Indian cotton has steadied in the current year in consequence principally of heavy purchases by Japan, one of His Majesty's Allies. Over and above the consideration of the possible economic effects of an export duty upon cotton, diplomatic considerations must have induced Government to forego that duty for the present. It would be unjust to criticise Government action without knowing all the facts. In this matter, too, let us hope some satisfactory arrangement will be made on the termination of war.

"It may therefore be broadly stated that this Bill deserves the cordial support of this Council, barring the slight modification suggested in the amendments I propose to move. The whole scheme is fair, equitable and well thought out. In principle it is right. The details also have generally been settled with care and judgment. I accordingly cordially support the Bill, with the exception of two particulars in regard to which I shall move amendments."

**The Hon'ble Khan Bahadur Mian Muhammad Shafi :—**

"Sir, I have great pleasure in giving my support to the Indian Tariff Bill, not only because, in the existing abnormal conditions, the Government is perfectly justified in proposing the additional taxation embodied therein, but also because, while opening up fresh and perfectly legitimate sources of income to the Indian Exchequer, it is calculated to afford protection to some of our indigenous industries, and to promote the cause of temperance. Sir, to my mind one of the most pleasing features of the Bill is to be found in the list of import duties it is proposed to levy on articles, which hitherto have found a place in the free list, and in the enhancement of the import duties proposed in connection with other articles. The hard logic of resultant facts is bringing home even to confirmed advocates of free trade in Manchester that an indiscriminate application of the doctrine of free trade, irrespective of circumstances, to all commodities and to all countries, is calculated to result not only in material injury in certain respects, but also to mischief in others. It seems to me that the proposed enactment, in curtailing the free list and in proposing an enhancement of duty on others, is taking a step in the right direction. Coming as I do from an agricultural Province, and being myself a member of an agricultural tribe, I welcome the enhanced tax proposed to be levied on sugar and on tobacco as calculated to protect our indigenous sugar and tobacco industries. So far as the list of other articles is concerned, I entirely agree with my Hon'ble friend Mr. Dadabhoy, that the Government of India have framed this list with a great deal, of discrimination, and that no serious objection can be taken to any part of it, except to one important omission. That omission has been referred to by almost every speaker who has preceded me, and I entirely endorse the remarks made by them regarding the unfortunate omission of cotton goods from the list of articles upon which import duty is proposed to be levied. At the same time, I recognise that the Government of India are in entire sympathy, as was apparent from the speech of the Hon'ble the Finance Member when introducing the Financial Statement, with the wishes and feelings of the people of this country in regard to this important matter. I am authorised by the Council of the Punjab Provincial Moslem League to offer their thanks to the Government of India for their advocacy of the claims of India for greater fiscal freedom in connection with this particular question. It is unfortunate that His Majesty's Government have decided to negative the proposal put forward by our Government. Let us hope that, when after the termination of the war, this question comes under review, the Government of India will obtain greater liberty, greater freedom

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in this particular respect, if not with reference to cotton goods produced within the Empire, most certainly with reference to cotton goods which are imported into India from countries lying outside the limits of the British Empire. Sir, I regard the increase in the salt tax, unfortunate and unwelcome though it is to a very large number of the people of this country, as a war tax pure and simple, and as such I am sure that the people of this country will give it their willing acquiescence. At the same time, I cannot help expressing the wish that, while so far as the proposed enhancement in the salt tax is concerned, the time may come, soon after the termination of the war, when the *status quo ante* will be reverted to; I trust that the rest of the Indian Tariff Bill, which it is now proposed to pass into law, will find a prominent place in the Statute-book of this country. With these few words, I cordially support the Bill."

**The Hon'ble Maharaja Sir Manindra Chandra Nandy of Kasimbazar :—**"Sir, I cordially support this Bill to amend the Indian Tariff Act. We all fully recognise that an enhancement of taxation has become inevitable on account of the enormous expenditure which is being incurred from day to day on account of the war, which is severely taxing the resources of the Empire. The only observation I should like to make is, as regards the raising of the salt duty from Re. 1 to Re. 1-4 per maund. As the Hon'ble the Finance Member pointed out in his statement made in this Council on the 1st instant, the 'enhancement of the salt tax has always been looked on as a reserve to be utilised when war or other financial calamities should come upon us.' We are in the midst of such a calamity, and, though we may not be quite justified in opposing the raising of the salt tax, I think the Council and the country are entitled to an assurance that there will be no further enhancement of the salt tax in future years, and that, at the earliest opportunity possible, the duty on salt will again be reduced to Re. 1 per maund."

**The Hon'ble Mr. Rama Rayaningar :—**"Sir, the Tariff Bill demonstrates forcibly the anxiety of Government to find money, not only for war deficiency, but also for employment on the improvement of the people. The Bill is welcome in that the duties proposed have the general approval of the people. If we have to faithfully represent popular views, we cannot but accord our support to the Bill. There are, however, a few particulars in which improvement is both desirable and possible. As the Hon'ble Finance Member himself suggests, the exclusion of the imported cotton piece-goods from the revised tariff is a patent injustice to India. But the official explanation, for which we must thank Sir William Meyer, will have made it clear to the public that the course has been adopted by Government with the sole object of preventing a greater injustice to the country. Evidently sanction to an enhanced import duty could only be secured on condition that a corresponding excise duty should be imposed upon cotton goods manufactured in the country. This last contingency would certainly have proved a greater evil. We wish the efforts of Government had been successful; but now that they have not been, we can only support Government in renewed efforts after the war is over; and we hope that in any fiscal re-adjustment on that occasion, the unjust excise duty should be abolished, apart from the question whether the import duties are altered or not. We attach great importance to the abolition of the excise duty.

"Sir, the exclusion from the Tariff Schedule of the machinery imported for agricultural and industrial development of the country is desirable on principle. I raised this question in Select Committee, but when the Hon'ble Member in charge of the Bill reminded me of the special needs of Government during the war, and pointed out the inconvenience which the exclusion would involve, I did not press the point. I hope, however, that when Government reconsiders this question after the war, this exclusion will receive sympathetic consideration.

"With these observations, I support the Bill."

**The Hon'ble Mr. Madhu Sudan Dass :—**“ The Tariff Bill is intimately associated with the Budget which was presented to this Council the other day. It no doubt shows a change in the fiscal policy of Government. The Hon'ble Members who have spoken and preceded me have referred to the excise duty on cotton and the import duty on piece-goods. When the Hon'ble Finance Member introduced the Budget, he delivered a message to this Council from His Majesty's Government, and that message was, that a controversial question like this should be avoided at this time. It was a message of peace, and at the same time this message of peace was accompanied by an assurance that when the time comes there will be a re-adjustment of the relations between India and England, a re-adjustment when India will have her proper status in the British Empire determined and defined. With that assurance, Sir, I feel it my duty to avoid making any remarks, either with regard to the provisions in the Budget, or the Tariff Bill which may be misunderstood in other parts of the British Empire. This is not the time to say anything which may be construed as proceeding from a spirit of retaliation and retribution. His Majesty's Government promise and give an assurance that the day of reckoning will come when peace returns to the Empire. It is not the time to talk of retaliation or retribution when the house is on fire; that is not the time to discuss as to who contributed most towards the construction of the house, and what amount of labour should be undertaken by this person and that person, all of whom are inmates of the house. It is our duty to do all that we can do to show that we are loyal subjects of the Empire, that we are interested in upholding the dignity, the prestige and the honour of the Empire and of our King-Emperor.

“ The Hon'ble Finance Member was pleased, in the concluding paragraph of his budget speech, to refer to some words in a Resolution which was passed unanimously in this Council. Though I was originally responsible for those words, those words represent the feeling of the whole country to-day as they did when I moved that Resolution.

“ Sir, our duty as Indians, as to what we have been able to do, is not to be discussed now. All that we can say is, that the Hon'ble Finance Member speaks of the salt tax as a reserve to be drawn upon in times of need and necessity. I should go further, and say that the life-blood of the whole nation is a reserve upon which the King-Emperor has a right to draw when the interests of the Empire are in peril. And what can the poor man in India, who has no control over the Military Department and who does not control the war at the present day raging over the whole world do? next to giving his life blood in the battle-field, what can he do better than gladly accept a taxation on one of the necessary articles of daily life?

“ I am glad that the salt tax has been introduced. I do not say that the salt tax is ever a desirable tax; I do not for a moment maintain that there is any justification for the salt tax. On the contrary, the salt tax in India has always been considered as a blot on the fiscal policy of the Government of India. But the salt tax has one redeeming feature viewed from the war standpoint; it has a feature which certainly is not to be found in any other tax. The salt tax will affect every Indian, so that by accepting the tax the poorest Indian, the youngest child, the oldest man contributes to the exchequer of India to make up the deficit that has been created by the emergencies of the war, and we have the satisfaction of saying—India will have the satisfaction of proclaiming—that she is not wanting in her duty to her King-Emperor. Once more I refer to the words of the Hon'ble Finance Member that the salt tax is a reserve. Yes, let this be considered as a precedent, let the present occasion be a precedent for the future, that only when the interests of the Empire are in peril let this reserve be drawn upon, but not for other purposes. Salt is not a luxury. There is a craving for it in human nature, I should say in nature. Even wild animals lick saline dust. It is not like other luxuries, for instance tobacco or wine. There is no danger of a man indulging to excess in salt, or getting drunk; it does not lead to any vicious habits; a Maharaja with his huge income does not eat one maund of salt and the poor beggar two pice worth of salt. The enormity of the taxation lies in this fact, that nature has implanted a craving for salt in man. In India, where saline earth is to be found, the Indian is

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tempted by the very soil of the country where he was born. The country which he worships as his motherland tempts him. And what is the result? Being a poor man unable to buy salt, if he takes a little saline dust, he is sent to prison for three months or six months, and the man who sends him to prison gets a reward; whereas if a cow were impelled by hunger to trespass on a farm the cow is only taken into the pound and not sent to jail. Here is the enormity of the tax. I do sincerely hope that, when peace returns, this blot on the fiscal policy of the British Government of India will be removed.

"For a small man like me to compliment the Finance Member on the carefulness with which he has prepared the Budget would perhaps be impertinent, but I do feel it all the same because in amending the Tariff Act there was danger of putting too much taxation in the shape of export duty. If that were so after the war people might have said the contributions that India made towards the war fund came from foreigners who paid the export duty. There has been a very reasonable, cautious and careful adjustment which at least secures to India the judgment of the world that, poor country as she is, poor as Indians are, they have not been lacking in their duty to support the honour and prestige and dignity of the Empire. We have done all that we could do. We have proved in the battlefields of Europe that the blood of a British subject, whether he comes from Canada or from India, has the same colour. We have proved that the heart which responds to the tune of the National Anthem is the same whether it is in the breast of an Indian or an Englishman. Let us wait for the day when peace is restored to the Empire, when the day of re-adjustment comes, and let it not be said then, let not any opportunity be given to any man to say then that in the days of trouble India was weighed in the balance and found wanting.

"With these remarks, I support the Bill."

**The Hon'ble Rai Sitanath Ray Bahadur:**—"Sir, considering the exigencies of the situation and the tremendous sacrifices the present war has entailed upon the British nation, I must say that the several schemes of taxation, formulated for meeting the deficit, are wise, modest and equitable, and that the burdens of taxation have been equally distributed among all classes of people, and as such, coming here as the representative of the Indian mercantile community, I beg to give my humble support to the Tariff Bill, and to add that we, one and all, cheerfully submit to the additional taxes that are going to be imposed. But I must say that, though the Income-tax has been more than doubled in the case of higher incomes, this is hardly the time to murmur and grumble against it, more especially when we see that, even in the case of salt, a prime necessity of life, a slight increase has been made. But I do assure the Council that the increase is so slight that it will not have any effect in raising the price of salt, at least to an appreciable degree.

"With these few words, I beg to give my humble support to the Tariff Bill."

**The Hon'ble Sir William Meyer:**—"On behalf of Government I greatly appreciate the way in which our tariff proposals, which I need not say caused us great trouble and anxiety, have been received by this Council. Here is a Bill of an elaborate character involving, so far as its Schedules are concerned, material alterations in the taxation of the country, which has been received with general approbation. I need not therefore detain the Council with a further speech. There are certain points in connection with which I might have spoken, but they will come in on subsequent amendments.

"I will only say this that I fully agree with what has been said by my friend the Hon'ble Sir Fazulbhoj Currimbhoj and other members, on the question of the cotton import duties. These members, some of them of long experience in the Council, have recognised what the Government of India would have liked to do had they had a free hand. They have also recognised

that His Majesty's Government having had to take, as I said in my Budget speech, a wider view, having taken the interests of the whole Empire into consideration, have come to a different decision. His Majesty's Government have, on this subject, sent to us what my friend the Hon'ble Mr. Das aptly called a message of peace ; and also, as regards the future, a message of hope. I would earnestly appeal to the Hon'ble Member who proposes to move an amendment on this subject to consider whether, by moving that amendment, by entering into a discussion which may provoke criticisms of His Majesty's Government, which later on those who utter them might regret, he will not be doing more harm than good, whether such a course may not be against the interests of India as affecting the future settlement which will have to be entered into not in any spirit of abstract principle or ruthless bargaining on the one side or the other, but rather as a question which deals, as His Majesty's Government have put it, with the fiscal relationships of all parts of the Empire as between one another and the rest of the world—a question which must therefore, if it is to come to a successful issue, be dealt with by all sides in a spirit of conciliation and of practical give and take. Therefore, Sir, I would ask my Hon'ble friend, who has a certain amendment on the Agenda on the subject of the cotton duties, to consider carefully whether it is expedient at present to press it.

“ I conclude, Sir, by once more moving that the Report of the Select Committee be now taken into formal consideration. ”

The motion was put and agreed to.

**The Hon'ble Mr. Dadabhoy:**—“ Sir, the amendment which stands in my name and which I now beg to move suggests that Government should dispense with the proposed addition of 4 annas per maund to the existing tax upon salt of Re. 1 per maund. I have been anticipated to some extent by some of the previous speakers, but I propose to put my case before the Council in a different shape. I do not agree with some of the remarks which fell from the Hon'ble Mr. Dass on the subject. It will at once be seen that this recommendation forms part of a scheme of re-adjustment of the tariff duties which has for its central object the relief of the poor masses at the expense, not of individuals, but of big companies and merchants in the first instance, and ultimately of the foreign purchasers of jute, raw and manufactured. Had the present amendment stood alone, without any practical suggestion as to how the loss in prospective revenue consequent upon the elimination of the additional salt tax could be made up, it might perhaps be contended that I could not claim a sympathetic hearing either at the hands of Government or of this Council in the difficult and anxious times through which we are passing. But fully alive as I am to the needs of the situation, I supplement the present recommendation by another which ought to dispel all fear of loss of revenue. Of that, however, later on.

“ Now, about the form of the amendment. It will be noticed that the addition to the tax is proposed to be made by executive order, as it is open to Government to do. Under the rules, the excise duty upon salt manufactured in India can be altered by an Order in Council, and that procedure has been followed on the present occasion. The proposal about the abandonment of the additional tax, therefore, to be effective must be discussed in the course of the debate on the Tariff Bill. I have accordingly taken advantage of the fact that imported salt forms a dutiable article in that Bill to raise the whole issue by suggesting that duty at the rate of Re. 1 be levied upon that salt, *i.e.*, at the same rate at which salt manufactured in India is taxed. If this amendment is carried, the excise duty upon indigenous salt will perforce remain unchanged at Re. 1 per maund.

“ Sir, from the observations I have made in lending my support to the Bill, it will have become abundantly clear that the proposed financial arrangements of the Government generally have my wholehearted approval. I may also say at once that, even in this matter of the additional salt tax, Government have evinced great moderation. But one of the points I beg to emphasise

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before the Council is, that the salt tax should be a sort of reserve with us to be drawn upon only in case of extreme necessity, after all the other productive sources of revenue have been fully utilised and exhausted. Mr Baker, Finance Minister in 1905, justified his action in reducing the salt duty, *inter alia*, thus :—

‘The feature which specially commends itself to me in the reduction of the duty is the large and valuable financial reserve which it lays by for a lean year.’

“Then there is the consideration that the salt tax weighs upon the poor. All classes have to pay this tax, it is true, but the major portion of the revenue from it is contributed by the poorest sections of the community by reason of their numerical preponderance. That is a proposition which does not require elaborate elucidation. I will only cite the authority of Lord Curzon in my support. In 1905, in justification of the partial remission of the duty upon salt, he observed—

‘What is the tax that touches all classes down to the humblest? It is the salt tax.’

“Again, after referring to the principle that surpluses should be utilised to afford relief to the people, he remarked—

‘And who are the people of whom I speak? They are the patient, humble millions, toiling at the well and at the plough, knowing little of budgets, but very painfully aware of the narrow margin between sufficiency and indigence. It is to them that my heart goes out. They are the real backbone of our economic prosperity. They give us nearly 20 millions sterling per annum in Land-revenue alone, or about one-fourth of our entire receipts.’

“Now putting the two extracts together, we get to the fact that, in Lord Curzon’s authoritative opinion, the remission of the salt tax meant relief to the masses. The converse is likewise true, and the fact should be frankly acknowledged that any addition to the salt tax *pro tanto* presses upon the masses. This is a matter of arithmetical proof. As Finance Minister Mr. Baker pointed out in 1905, every reduction in duty up to that year had been followed by increased consumption, and every enhancement in duty had checked the rate of increase in consumption. The movements of trade in the subsequent period confirm the truth of the assertion. Unless an additional duty of eight annas was felt by the people, it would not have had in the past a restrictive effect upon the annual normal advance in consumption. In 1889, the salt tax was enhanced by 8 annas a maund. The rate of increase in consumption during the following quinquennium immediately fell from 668,000 maunds a year in the previous period to 272,000 maunds a year. On the other hand, the salt duty was reduced once in 1903 and again in 1905, and in the Financial Statement of 1907 the effects of the successive reductions were described in the following luminous language :—

‘Under salt, we had made what seemed to be a liberal allowance for the probable increase of consumption due to the reduction of the duty last March. The results have, however, surpassed our anticipations. By the end of February the issues of salt had exceeded those of the corresponding period of the previous year by 14,33,000 maunds, and we now expect that this figure will have risen to 16 lakhs of maunds by the end of the year. This advance follows on a very large increase of 17,86,000 maunds which occurred in 1904-1905, by which time the first reduction of duty made in 1903 had come into full effect.’

“If past experience and the history of the several changes in the salt tax be any guide to the future, it may be asserted that an additional duty of 4 annas a maund will in the same way proportionately affect consumption. And that contingency would react upon the revenue, and it may be that the actual realisation will fall short of the Budget estimate. But that is the third point which demands the attention of this Council. And all the three points together warrant the conclusion that it will be more politic to leave salt untouched for the present. When I come to deal with the second amendment, I shall be able to satisfy Hon’ble Members that we have not exhausted the other sources of revenue. The estimated revenue of £600,000 can be raised in other ways which, while sparing the masses, will not cripple the economic resources of the country. But I cannot dilate upon this aspect of the question now.

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“ Sir, it is only fair that I should mention two other points which must be considered by the Council in this connection, and they follow opposite lines of thought. The one is founded upon sympathy with the masses, and the other derives its force from an impatience at the immunity enjoyed by them from the general scheme of contribution towards the cost of the war. It is argued that the pressure of the abnormal financial conditions due to the war may compel us to impose upon salt even a higher duty. When that contingency comes the rise in price will be so sharp as to be distressing to the poor. It is far better therefore that the enhancement should be gradual, and in this view of the case the additional duty of 4 annas is right. Sir, I concede there is apparently something to be said for this contention. I will not say that the contingency is hypothetical. But, assuming for argument's sake that it is imminent, I submit that, in the interest of the ignorant millions, frequent or even successive alterations in salt duty must be discouraged. Such changes only introduce some uncertainty in the market, render a stable basis of calculation difficult, and help the middleman to fill his pocket at the expense of the poor customer. The theory of gradual enhancement does not hold good in salt duty. There is always considerable speculation in the market, and the real effect of taxation upon prices is, for some time at least, obscured by the operations of bulls. The Hon'ble Finance Member has himself referred to the speculative clearances of salt in expectation of this enhancement in duty. It is a matter of common knowledge that, for every slight rise in duty, the price of salt goes up out of all proportion to the additional tax. Only a few weeks ago, at important centres the price of salt became double of what it was before. The imports have doubtless been less for some time; but making allowance for all factors, it is difficult to believe that the inflation in prices was right. Far better, therefore, that the duty which is found absolutely necessary should be levied all at once than that successive additions should be made to the existing duty. This last course will only lead to large accumulations in the hands of the speculators which can never be advantageous to the poor. When stocks are held up prices naturally rise.

“ But however divided opinion may be on the question of the relative merits of gradual enhancement and sharp enhancements, I would claim earnest consideration of the question of the suitability of the salt tax in the light of the principle I have submitted to the Council, that this tax should be treated as a reserve to be utilised *in the last resort*. Judged in that way the time for enhancement has not come. We have certainly not exhausted our other sources of revenue. I would therefore ask Hon'ble Members to decide that the proposed enhanced duty should be abandoned, let it be on the understanding that I undertake to show in connection with the second amendment that the revenue can be raised in other ways.

“ The other points, namely, that the poor must contribute to the State Fund along with the rich at this time, hardly needs elaboration. Were it a fact that the agriculturists do not pay towards the cost of administration, including defence, anything except the Land-revenue, even then they would be entitled to consideration, because the Land-revenue alone accounts for one quarter of our revenue. But it is not a fact that other taxes besides the salt tax do not touch them. These people at least contribute to the revenue from the customs duties. The bulk of the excise revenue and of the revenue from stamps is realised from them, and they contribute a substantial portion of the railway revenue.

“ Sir, I have one other submission to make before I place this amendment formally before the Council. With all the additional taxation provided in the Income-tax Bill, and the Indian Tariff Bill as also by executive order, the Hon'ble Finance Member expects to close next year with a surplus of £1 million. And this figure greatly exceeds the expected revenue from this ~~tax~~ of 0-4-0 annas a maund upon salt. What is the difficulty then of dispensing with this tax? Without it there will still be a surplus of £400,000. The additional salt tax is wanted only to swell the surplus, and that is a principle of taxation to which few will be found to subscribe. Taxation with a view to provide a surplus is in itself a policy of doubtful wisdom, and when

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the article selected for such taxation is a commodity of prime necessity like salt, it becomes indefensible. I accordingly move :—

‘That in column 4 headed ‘Rate of duty’ against item 39, Part II, new Schedule II, for the existing entry against that item, the figures ‘1-0’ shall be substituted.’

**The Hon’ble Sir Gangadhar Chitnavis:**—“Sir, the amendment has my support. The Hon’ble Mover represents, to a large extent, the popular view, and there is much to be said in its favour. I do not think the extra 4 annas a maund will force up prices abnormally high. The Hon’ble Mr Dadabhoy, too, does not justify the proposed change on that ground. He has said in the speech he made this morning that where the rich have cheerfully accepted their responsibilities, the poor should not grumble if there is a slight increase in the poor man’s burden. But sufficiency of salt being one of the principal conditions of healthy existence both for men and cattle, too great care cannot be taken to see that the duty upon it is not raised without the gravest necessity; in other words, salt should be taxed in the last resort. This contingency, in the opinion of some people, has not arisen. There are still other sources of revenue not fully used up. I would, therefore, request Government to consider if this tax could be withheld, and the loss of revenue that may be caused by accepting this amendment might be made good by raising the tax on some other commodities.”

**The Hon’ble Sir Ibrahim Rahimtoola:**—“Sir, I am entirely in favour of retaining the salt tax at the present figure of Re. 1 per maund, and I have given notice of a Budget Resolution to that effect, I did not anticipate that the question of the salt tax would be raised in connection with the Tariff Bill.

“The increase in the rate of the salt tax is made under the Salt Act, which gives Government discretionary powers to regulate it up to a maximum of, I think, three-and-a-half rupees. I therefore thought that, as no legislation was necessary for the increase of that tax, the proper procedure would be to move a Budget Resolution on the subject. And, Sir, that would have facilitated matters. We would have known by that time whether the Tariff Act was passed in its entirety with or without any modifications, and whether the Income-tax Act also was passed. We would have then known what the state of the Budget Estimates for the ensuing year would have been, and it would have helped us to consider the question of salt taxation on its own merits after fixing up all other items. However, as the subject has been raised on the present occasion, I do not wish to dilate upon these matters, as the whole scheme of increased taxation will have to be considered. I will confine myself on the present occasion by saying that I am in favour of retaining the salt tax at Re. 1 per maund, and I beg to submit that there are very strong reasons in favour of it. But, with your permission, Sir, I will raise that question when dealing with my amendment, and when speaking on the Income-tax Bill. At present all I wish to say is, that I am in favour of retaining the salt tax at Re. 1.”

**The Hon’ble Pandit Madan Mohan Malaviya:**—“Mr. Vice-President, I give my hearty support to the amendment which is before the Council. It seems such a pity that a Budget which is marked with so much sanity and considerateness, as the present Budget is, should have one feature in it which is exposed to serious attack. I do not know that there have been many Budgets which have been received with so much general satisfaction as the Budget which Sir William Meyer has presented to this Council. That seems to me an extra reason why the amendment should be pressed on the attention of the Government. I do not wish to cover the same ground which has been traversed by my friend Mr Dadabhoy. I think two points are clear. In the first instance, there are other articles upon which a duty can be imposed more justifiably than upon salt. In the second place, as it is after all a surplus which is being provided for, the surplus might be a little less than

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what is provided for in the Budget. On both these grounds, I beg Government to take the matter seriously into consideration. There can be no dispute that the amount by which it is proposed to increase the salt duty is moderate. It has been fixed very considerately, and for that the Finance Member and the Government of India are entitled to our gratitude. But what I submit, and several other members have submitted, is that there is not such a clear need for putting this extra burden upon the poor, and that therefore the matter might well be reconsidered. This is hardly the time, speaking on an amendment to this Bill, to go into the general question of whether the amount that has been budgetted for was actually necessary, whether by further curtailment, by a further general retrenchment of expenditure, the amount could not have been reduced; but taking it as settled that this amount must be found, we are entitled to say that, as there are other articles upon which the duty might more reasonably be increased, and other ways in which the amount needed may be found, the duty on salt should not be increased. I hope the Government will take this matter into serious consideration, and not throw out the amendments as they are generally thrown out merely because the thing has once been settled."

**The Hon'ble Sir William Meyer :—**"Sir, I have greatly admired the ingenuity by which Mr. Dadabhoy has succeeded in getting the salt duty within the scope of the present discussion. There is, however, one little development which, with all my friend's ingenuity, he has not perhaps quite appreciated, or the Council either. The Schedule, as it stands, says that imported salt shall be subject to the same rate of duty as is imposed by executive order of the Governor General in Council on salt which is produced in India. Well, we have already issued a notification that salt produced in India is to be taxed at Re. 1-4 per maund. Mr. Dadabhoy now proposes that, in this Schedule to the Tariff Bill, we should limit the rate of duty on imported salt to Re. 1 a maund, and therefore he is giving a preference, I am sure not deliberately, to the imported article. That of course is a debating rather than a practical point, for I have no doubt Mr. Dadabhoy would argue that, if his proposal were carried, the Government would be necessarily led to amend the excise rate also: but I mention it as an instance of what may happen if you do not very carefully consider amendments which you have to suggest, and if you do not consider their eventual as well as their immediate effects.

"I have shown in my speech on the Financial Statement that the taxation of salt is not a matter which the Government of India have taken up lightly or inadvisedly; that it was only after careful consideration that we made the small rise which, some Hon'ble Members have admitted, will not in itself affect prices much; and, even so, that the taxation will be lower now than it was nine years ago in a period of peace, and far lower than it was in the time of Lord Curzon, from whom Mr. Dadabhoy has quoted. I must remind the Council that, at the commencement of Lord Curzon's Viceroyalty, the salt duty stood at Rs 2½ per maund. It was reduced to Rs 2 in 1903, and to Rs 1½ in 1905, shortly before Lord Curzon left office. The reduction to Re. 1 took place later. It has been admitted by the Mover of the amendment that one object of these successive reductions of salt tax—he quoted one of my predecessors, Sir E. Baker, to that effect—was to provide a financial reserve against lean years. I gather, however, that he thinks that the years are not yet sufficiently lean to justify our drawing upon this reserve. Well, if so, he is very hard to please. We had a big deficit in 1914-15; we have another big deficit this year though, thanks to the exemplary conduct of our railways, it is not so large as was originally anticipated; and we have a still larger deficit to face in 1916-17. We have got, besides that, a load of temporary debt which we incurred rather than impose taxation before we felt actually obliged to. Well, I say a position like this is emphatically a position in which we are entitled to draw on our salt reserve, and so far from the drawing being unjustifiable, I can claim some credit to the Government in that they have taken so little from salt. The Hon'ble Mover quoted statements by predecessors of mine as

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to the immediate effect of the reduction of salt duty on prices, and he argued therefore that there will be a counter-effect through an enhancement. Certainly, after the reductions from Rs.  $2\frac{1}{2}$  to 2 and Rs. 2 to  $1\frac{1}{2}$ , the Government of India had evidence that these reductions of duty were materially affecting both prices and consumption. But now let me quote what was said by my predecessor in respect of the year 1908-09, shortly after the salt duty had been reduced to its existing pitch of Re. 1. In introducing the Financial Statement for 1909-10, and in dealing with the Revised Estimate for 1908-09, Sir Guy Fleetwood Wilson had to comment on the salt revenue, which was considerably less than had been anticipated in the Budget, and he said —

‘ Never since the recent series of reductions in duty began six years ago, there has been a steady annual increase in consumption. A point, however, seems now to have been reached at which the purchasing power of the people is affected much more by agricultural conditions than by the purely nominal rate of duty.’

I think that this applies still ; that prices and consumption are affected much more by other circumstances than by the small rise which the duty itself brings about. For example, Mr. Dadabhoy talked of the large increase, recently, in the price of imported salt. That is purely due to considerations of freight—that is special conditions caused by the war ; and any increase which is contingent on the rate of duty will be trivial compared with what may be brought about by the dislocation of freight. I am happy to believe, however, that the supply of imported salt will presently resume its normal proportions. I may remind the Council, Sir, that, as ‘ every cloud has a silver lining,’ I believe that the rise in the price of Liverpool salt has materially enhanced the demand for Madras salt, and probably for Northern India salt also. Mr. Dadabhoy, in dealing with the financial aspect, has two strings to his bow. I will refer in general terms, as he has himself done, to the amendment which he is going to move as to jute, and by which he offers to supply the Government with the revenue that they would lose under his present proposal. We shall come to that amendment in due course ; but it is only fair to the Council that I should say now that we have considered the matter, and we think that by imposing export duties, amounting approximately to 5 per cent on the jute trade, we are doing as much as we can reasonably do. That if we were to double the duties, as Mr. Dadabhoy proposes, we should diminish the volume of trade to an extent which would inevitably hurt the producers, the Bengal ryots.

“ Then the Hon’ble Member says, ‘ Oh, but apart from that you have too much money ; you have a surplus of a million pounds, you should have less ; you can do with £400,000.’ I can only say, as responsible for the finances of India, that I could not possibly agree to such a proposal at a time like this, when we are subject to all sorts of unforeseen contingencies. We have to grope very much in the dark in some cases as regards our estimates. As the Hon’ble Sir Fazulbhoy Currimbhoy put it very well a little time ago, you cannot have precision in circumstances in which ordinary data do not apply. Take the current year, for instance, we had a large increase in military expenditure which had to be accepted as a matter of necessity. Latterly, railway receipts rose to an extent that no reasonable person could have predicted beforehand ; if anybody had said a year ago that railway receipts would have reached their present figure, he would have been laughed at. We have had then, to provide for an increase in military charges which has been more than counterbalanced by railway receipts. But supposing it had not been so, supposing that against the increase in military charges, railway receipts had only come to very much what we expected in the Budget—well, we should then have had a deficit of about 4 millions this year. In the year for which we are legislating, 1916-17, we don’t know what a day may bring forth ; we may have to make further provision for military charges—circumstances may easily occur in which we may have to add to them ; and on the other side, railways may not prove so successful from a financial point of view ; also as the Hon’ble Sir Fazulbhoy Currimbhoy indicated, our Customs revenue may fall to a larger extent than we have anticipated, and there is the question of the monsoon. We have anticipated a normal South-west monsoon : we hope that it may be so—may, that it may be abundant ; but it may be that it will be unsatisfactory.

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With all these contingencies before us, with no possibility of borrowing from home, and with a large load of temporary debt hanging over us, we should not be doing our duty to the country if we were to say that we can sail safely through with an estimated surplus of only £400,000.

“For these reasons, Sir, I am unable to accept the amendment.”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“Sir, it seems to me that this amendment relating to the duty on imported salt can be separated from the question relating to the increased tax upon salt manufactured in this country. The rate of duty on the former is as follows—‘the rate at which excise duty is for the time being leviable on salt manufactured in the place where the import takes place’ Under section 7 of the Act the Governor General in Council is empowered to impose an excise duty not exceeding Rs. 3 per maund Under that section a notification was issued on the 1st of this month increasing the duty by 4 annas per maund, and the Tariff Act says—and the present Bill retains this provision—that there being this automatic relation between excise duty and the duty on imported salt, the latter duty is also increased to the same extent. If the amendment is accepted, it puts an end to this relation. The amendment urges that in column 4 headed ‘Rate of duty’ against item 39, Part II, new Schedule II, for the existing entry against that item the figures ‘1·0’ shall be substituted. It does not in the least affect the notification issued by the Government of India on the 1st of March this year. If we accept the amendment, we get rid of the entry which establishes a relation between the two kinds of duties. I believe to that extent this is a mischievous fiscal principle, namely, that the duty on imported salt should be the same as the duty on salt manufactured in India. If we get rid of this mischievous principle, I do not see that any serious consequences will follow, that Government revenue will lose or that the amendment will produce the disastrous consequences which the Hon'ble the Finance Member has humorously pointed out. Without going into the question whether Re. 1 or Rs. 1-4 is a fair tax, or into the general question of the expediency of an increased duty on salt manufactured in this country, I feel I am in a position to support this amendment because it virtually and by necessary implication, gets rid of a vicious fiscal principle.”

**The Hon'ble Khan Bahadur Mian Muhammad Shafi :—**“Sir, I would appeal to my Hon'ble Friend Mr. Dadabhoy to withdraw the amendment which is now before the Council. My reason for making that appeal to him is this—that if the figures which he suggests should be substituted for the words which find place in the fourth column as against this particular head, the result will be that, supposing after the termination of the war the Government of India is in a position to reduce the salt tax to a figure below Re 1, then in that case a further amendment to this Indian Tariff Act will have to be introduced in this Council in order to set matters right Now, whereas such an amendment as regards salt manufactured in this country can be brought about by merely an Order in Council, to give this Council the trouble of introducing an amending Act such a short time as one or two years after the passing of the present Act, would be opposed to all notions of sound legislation.

“So far as the views of the Hon'ble Mr. Achariar are concerned, I do not propose to discuss them at all. The object which my friend Mr. Dadabhoy has in view has my hearty support, but I think it can be achieved in a much better way, as suggested by the Hon'ble Sir Ibrahim Rahimtoola, in the form of a Resolution in connection with the Budget. The method adopted by Mr Dadabhoy will result in two things: first, it will reduce the duty in imported salt unnecessarily, and, in the second place, it will necessitate a further amendment of the Indian Tariff Act if, after the termination of the war, the Government is in a position to reduce the salt tax by means of an Order in Council Under these circumstances, I think that the view taken by Sir Ibrahim Rahimtoola is really the better of the two.”

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[ *Mr. Dadabhoy.* ]

**The Hon'ble Mr. Dadabhoy:**—"Sir, I am afraid I cannot add very much to what I have already said on this very important subject. The Hon'ble Finance Minister has rightly taken exception to the form of my amendment; but I think that to a certain extent the explanation which I propose to offer has been partly given by my friend the Hon'ble Mr. Achariar. It was my great desire that a full discussion on this very important subject should take place, and that the Government should be in possession of the opinions of the non-official Members of this Council regarding it. There was no other way of forcing this discussion in the debate on the Tariff Bill, except by putting my amendment in the form in which I have presented it. I am of opinion, and the Council will agree with me, that as these Bills were brought up for final discussion, if any practical or useful result was to follow, it was necessary that this discussion should take place before the Bills became the law of the land. The discussion on this subject on the 9th instant would have been only of an academical character, and would not have helped either the non-official Members or the Government in any way. It was for this reason, and in order to get a hearing in time, that I drafted my amendment in this manner, perfectly confident that if Government removed the extra duty on imported salt, they would necessarily have to reduce the duty on Indian salt. It would have been an inconsistent position for Government to take up to continue the duty on Indian salt and to throw up the duty on imported salt. Swayed by this consideration I framed my amendment in its present form, and there was no desire, as suggested by the Hon'ble Finance Minister, to put imported salt on a footing of advantage.

"Now, Sir, as regards the merit of my amendment, I must say that I heard with the greatest interest and with very great respect what has fallen from the Hon'ble Finance Minister, but I must say that I am not able to agree with him in the conclusions he has drawn. His justification, Sir, for the imposition of this tax is this, that he had last year big deficits in the anticipated revenue. It has been further contended that the duty, though increased, now stands lower than it was nine years ago. Is that any answer to the principle of the tax? I have pointed out that, according to the deliberate pronouncements made by this Government from time to time, it is settled that this tax is to be kept as a reserve in case of urgent necessity. I am afraid the Hon'ble Finance Minister has taken a very pessimistic view of our financial position. I believe that at the end of the year there will not be any deficit; but I expect, on account of all these taxes, there will be a large surplus. I am sure the Hon'ble Finance Minister does not want this Council to believe that in having this taxation and in estimating this Budget, the exact revenue that would be yielded by this additional taxation has been counted upon. I have been in this Council for some years, and if my knowledge counts for anything, I have found that in all Budgets, in estimating the revenue, the Government allow a margin of ten per cent., and I have no doubt that if that margin is taken into consideration, the revenue which would be obtained from the general increase of taxation would be very considerable.

"The Hon'ble Finance Member has very rightly referred to one subject on which I am entirely in agreement with him. He has stated that we are unaware to what extent our military expenditure is likely to increase. I quite see the force and the wisdom of this remark. I well believe it is possible that developments on the frontier or other affairs might lead us into extra expenditure; but it would have been better if the Hon'ble Finance Minister had taken the Council into his confidence, and had made it clear in his opening statement, that he required this money for future expenditure in connection with our frontier and other difficulties.

"Sir, at this stage it would not be possible for me to go into the other Resolutions. I have placed a constructive scheme before Government. I do not ask that our revenue should be lost in any way. I freely acknowledge, and I am fully conscious of, the fact that we are at present in a state of crisis. Everything in our power should be done to husband our resources and to collect the available revenue; and we must be prepared for any emergency

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that may arise But, by a little more care we could have readjusted our taxation in such a manner that it would have yielded the revenue which the Government wants without in the least causing any difficulty, oppression or inconvenience to the masses.

“ Sir, I know the fate of my amendment : it will be lost. But my chief object in bringing it forward was, that my Hon’ble friend the Finance Minister should not be tempted next year to put a further additional duty on salt; that he should be aware of, and he should know, the opinions of the country and of the Non-official Members of this Council in this matter. I think it our duty to help Government in every possible manner; we are pledged to support the Government. The whole country wants that our enemies should be crushed, and that all possible sacrifices should be made by us. We are prepared for sacrifices; we do not wish to cause any embarrassment to Government by showing to the foreign public that officials and non-officials to-day are divided on any important matter. From these considerations, I withdraw my amendment; but I hope that the Hon’ble Finance Minister will be pleased to bear in mind that behind this amendment there is a large volume of public opinion which considers that this tax is obnoxious and entirely unjustifiable.

“ With these few words, I will ask you, Sir, to give me permission to withdraw my amendment.”

The amendment was, by permission, withdrawn.

**The Hon’ble Sir Ibrahim Rahimtoola :—**“ Sir, I beg to move—

‘ That in column 4 headed ‘ Rate of duty ’ against item 51, Textile Fabrics, Part II, new Schedule II, for the figures and words ‘ 3½ per cent ’ the figure and words ‘ 6 per cent ’ shall be substituted. ’

“ In moving this amendment I take due note of the appeal which the Hon’ble Finance Member has made to me not to press it. I would have willingly acceded to that appeal were it not for the fact that I am placing this amendment before the Council with more than one object. The principal object with which I wish to place this amendment before the meeting, is to give expression to the views I hold in regard to the scheme of additional taxation which is under the consideration of this Council, and I cannot very well therefore accept the appeal and not place my amendment before the meeting. The other object with which I wanted to place this amendment before the meeting, was in connection with the pathetic admission of helplessness which is contained in the Finance Minister’s lucid and eloquent Financial Statement, and with which I entirely sympathize, particularly so, as the position is that the Government of India have the advantage of representation and hearing before a final decision is reached by the Secretary of State, while we, the Non-official Members, have to submit to the decisions in some cases arrived at by the Government of India on our Resolutions without knowing our reasons. Sir, in view of our own helplessness, you can appreciate that we cordially sympathize with the helplessness of the Government of India in this particular respect.

“ I wanted also to add that we gratefully acknowledge the service which the Government of India has done to the people of this country in correctly representing the views of the public before the Secretary of State in this matter, and I hope that in future they will continue to reflect the public opinion in India and press to the notice of the Secretary of State the strong views and convictions held by the people of this country in fiscal and in economic matters. Sir, in view of the appeal made, I will largely modify the remarks I intended to make in connection with this aspect of the question. I recognise the desirability of not raising any acrimonious or contentious discussion on the attitude adopted in regard to the cotton excise duties by the Secretary of State. If I have another opportunity, I will reserve my remarks for that occasion.

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[*Sir Ibrahim Rahimtoola.*]

“The reason why I have brought forward this amendment is to provide the necessary additional revenue for the purpose of bringing about an equilibrium in the Budget estimates for the ensuing year. The estimated deficit is £2,600,000. The estimated revenue from the amendment of the Tariff Act will bring in £2,100,000, so that there will still remain a deficiency of £500,000 between the estimated deficit and the additional revenue obtained under the Tariff Act. As I said, my second object in bringing forward this amendment was to provide the necessary additional revenue of over £500,000 which will be secured if my amendment is carried, and in that way our expenditure and our revenue will equibalance. I do so for this reason. I wish to submit that, having secured an equilibrium in our finances, there is no justification for either the amendment of the Income-tax Act or the increase of the salt tax. If you secure, as I want the Government to secure, by my amendment, the additional revenue of £500,000, bringing the total revenue up to the total estimated expenditure, we will have a Budget with practically the same amount of revenue and the same amount of expenditure, and the case for further taxation in regard to income-tax and salt duty would then, in my opinion, not stand. Sir, I do not propose to deal with that question on the present occasion, but I will reserve my remarks in opposing the principle of the Income-tax Bill, and I will then try to explain why I feel that the Budget estimates, where expenditure and income equibalance, or even where, if my amendment is defeated, after I have offered the additional revenue it would be best in the interests of Government as well as the country, to have a deficit Budget of £500,000. The responsibility for the deficit will be theirs if they reject my amendment, because I am providing by this amendment the additional revenue which they require from a source, be it remembered, in regard to which the Government of India are themselves agreed, and in regard to which there is practically a unanimous feeling in the country. So that the position that arises is this. The Government of India come to this Council and announce that their Budget estimates show that during the next year there will be a deficiency of £2,600,000; their revenue proposal in regard to the Tariff Bill will bring in a revenue of £2,100,000, and they therefore want £500,000 more to make up the deficit and a million more for the surplus. It is for that reason that they want an increase in the income-tax and an increase in the salt tax. Sir, I beg to submit that we, the Non-official Members are quite willing to agree to provide the necessary funds by additional taxation to the extent of your estimated deficit, that is £2,600,000, and that the difference between the estimated deficit and the revenue under the Tariff Bill can easily be made up by increasing the duty on textile fabrics imported into India, both from Great Britain and Japan by the same standard of increase to which every other commodity is going to be subjected. If that is conceded, then there is an equilibrium between revenue and expenditure, and no case remains for an income-tax increase or for the salt tax increase except to provide a surplus. As I said, I do not wish to go into that question on the present occasion; I will deal with it in opposing the Income-tax Bill. My present object is to offer to Government in the shape of this duty—a duty which, as I have already stated, is favoured by the Government of India and is acceptable to the country—additional revenue from that source. Sir, it appears to me that it is rather hard that when the Government of India want the revenue, when the country is willing to agree to give them that additional revenue from a source which is agreeable to themselves, that they should be debarred from doing so and in that way necessitate the proposal for the increased salt tax. I should like to point out that the refusal of the Secretary of State to allow us to get £500,000 from this source is really responsible for the increase in the salt tax against which so much feeling has already been expressed in this Council. The revenue from the increase in the salt tax is £600,000, while from this source anything between £500,000 and £550,000 may well be expected: so that this refusal is tantamount to ordering an imposition of an additional 25 per cent on the salt tax, a thing which I do not think, can, in my opinion, be justified. Sir, I am restraining myself considerably in view of the appeal made to me, but if for any reason the standard

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of increased taxation is applied to textile fabrics—that is to say, under the present standard of import duties we are levying a 5 per cent *ad valorem* duty on imported goods while textile fabrics pay only 3½ per cent—if the standard is going to be increased and we are to have an all-round increase of 2½ per cent in the standard, raising it from 5 to 7½ per cent, all I want is that the same standard should be applied to textile fabrics. Under a standard of 5 per cent the rate of duty for textile fabrics is 3½ per cent. I therefore say that, when the standard is raised to 7½ per cent, the rate of duty on textile fabrics should be raised to 6 per cent, that is a general rise of 2½ per cent all round.

“ Then, Sir, be it remembered that this increased taxation is for revenue purposes. Under ordinary conditions there would have been hardly any justification for increased taxation. Under present conditions India, along with other component parts of the British Empire, has suffered and is suffering in consequence of the war, and it is because of war conditions that justification is found for increased taxation for purely revenue purposes, to make up a deficit in our expenditure. Surely, Sir, that was one reason why, under present conditions, with a Coalition Ministry and a Secretary of State, the son of the champion tariff reformer, we might have been allowed to arrange our revenues in accordance with the sentiments of the Government of India and the sentiments of the people of the country. We are asked to await the readjustment that will take place after the war in regard to our fiscal matters. Sir, hope is eternal and we live in hope, but I do trust—I am not dealing in detail with the reasons that have been advanced—that the Government of India will forcibly bring to the notice of the Secretary of State that the feeling in the country is strong and insistent in favour of fiscal freedom, and that they will not be satisfied by any reasons of the kind that have been advanced now and in the past; that they desire that India shall economically rise and be free to levy taxation in directions most suitable to themselves, to their views and to their sentiments.

“ Sir, I trust that my amendment will be accepted, and that we will have a Budget in which the revenue will balance the expenditure, and there will be no additional taxation on incomes or salt. For these reasons, Sir, I will put my amendment to the Council, in the hope that the financial re-arrangement that will be ultimately adopted by the Government of India will be such as to be acceptable to the people of this country. I may, in conclusion, say that if for any reason it is impossible for the Government of India to accept the amendment, I should very much like them to consider an export duty on raw cotton in order to give them sufficient to make up the deficit, on condition that there shall be no increase in either the income-tax or in the salt tax.

“ With these remarks, I beg to place my amendment before the Council.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“ I support the amendment which has been moved by my Hon'ble friend Sir Ibrahim Rahimtoola. I know very well that with the expression of opinion which we have before us of the Hon'ble the Finance Member of the Government of India, there is absolutely no chance of this amendment being accepted by this Council as it is constituted. And yet if I think it my duty to join with my friend in supporting it, it is only to record a protest, a respectful but firm protest, against the action of His Majesty's Government in this matter.

“ Sir, we fully realise the position of the Government of India. We feel grateful to them for having placed our view of the matter fully and clearly before His Majesty's Government; but we wish that His Majesty's Ministers, the Secretary of State for India and others who might have advised him in this matter, realised how their refusal to permit the Government of India to make a material increase in the cotton import duties is regarded in India. They have done so on the ground that, in their opinion, the raising of this question at the present time would provoke a revival of controversies at a time when they

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specially desired to avoid them, and that this might prejudice the ultimate settlement of the larger issues raised by the war. But if, Sir, this gives us an idea of the way in which the settlement of those larger questions after the war is to be made, I must say that I do not feel happy or hopeful. Here is the present crisis, when in order to meet the new demands which have to be met owing to the conditions generated by the war, the Government of India have to resort to additional taxation. They have to resort to taxation not in one direction but in various directions, to taxation from top to bottom; to taxation which, it may be said with perfect truth, does not leave one single man untouched in this country. If at such a juncture, the Government of India made an appeal to the Government in England to allow them to increase the import duty on cotton goods, as the import duty on numerous other articles was being increased, there could not be a more reasonable, a more just, request made to them. And what is the reason for which this request has not been granted? Because, say they, there is likely to be a controversy over it, but a controversy is not avoided by refusing a reasonable request. It would have been avoided to a far greater extent if His Majesty's Ministers had recognised that this was just the time when, in view of the very stringent circumstances in which we were placed, in which we were driven to resort to taxation of numerous other articles, they should in fairness have allowed us to increase the duty on cotton goods.

"It has been said, Sir, that after the war, the question of an Inter-Imperial trade is to be taken up, and in that connection one of the speakers, the Hon'ble Sir Gangadhar Chitnavis, referred to the question of Preferential Tariffs. Might I warn my friends that they should be under no delusion in that connection? That they should clearly realise what that might mean? I will refer them to what was said in one of the Preferential Tariff Reform League pamphlets a few years ago on this subject. I quote from an article in the 'Indian Year Book,' in which it is stated:—

'Some idea of the direction in which a scheme of Inter-Imperial Preferential Trade would tend, so far as India is concerned, may be gathered from the following extract from the Official Handbook of the Tariff Reform League:—

'Preference would mean to India that the United Kingdom and the Colonies would give freer entry to Indian tea, coffee, sugar, wheat and all Indian staple products; and it would mean to us that the Indian import duty on a large number of British manufactures would be either abolished or reduced.'

That shows that that is one of the directions in which the ultimate settlement may come about. But I do not want to allow my judgment on the question before us to be affected too much by a consideration of what may possibly happen, because nobody can feel certain what will happen. I wish, however, to say that His Majesty's Ministers in England would have inspired greater hope and confidence in the minds of Indians regarding the character of the ultimate settlement of the larger issues after the war, if in a matter in which the Government of India, supported by the Indian public, have for the last 30 or 40 years asked for freedom of action, they had allowed them that freedom, allowed them to increase the import duty on cotton goods, when they felt it their duty to increase them. It is not, Sir, they who send manufactured cotton goods to India who would have had to bear the burden of the increased duty. It is the people of India, the consumers, who would have had to bear it, to pay a larger price for the articles on which the duty were levied. But they would not be the poorest of the poor, but the richer classes who consume the finer imported fabrics. From every point of view, therefore, His Majesty's Ministers should have allowed the Government of India, who are in possession of all the facts of the case, who are in possession of the opinion of the public of India, to increase the import duty on cotton goods when they considered it to be just and equitable in the circumstances of the case to do so, and we cannot too strongly protest against their refusal to do so.

"With these remarks, I support the amendment proposed by my Hon'ble friend opposite."

[ *Sir William Meyer ; Sir Ibrahim Rahimtoola.* ] [ 7TH MARCH, 1916. ]

**The Hon'ble Sir William Meyer:**—"Sir, I had hoped that after what I said a little time ago, the Hon'ble Sir Ibrahim Rahimtoola would consent to drop this amendment. My appeal has been ineffective, as he has thought it his duty to press it, principally as I gather, in order that he may air his objections to paying increased income-tax. objections which might have been more suitable on another occasion. I have however nothing to complain of in the tone of his speech, or in that of my Hon'ble friend Pandit Madan Mohan Malaviya. But the matter is a practical matter. The Council know that the Government of India would have been glad had they been able to increase the import duty on cotton goods; but His Majesty's Government, for reasons of Imperial policy, have said it is not desirable to do this at present. Obviously, however much the Hon'ble Sir Ibrahim Rahimtoola may object to it, we in India are, in political and Imperial matters, subordinate to His Majesty's Government at home. We must look at facts as they are, not as he might wish them to be. We cannot, therefore, accept an amendment which involves practically going against the views expressed by His Majesty's Government. We cannot possibly do that. Supposing even a state of things in which the official majority might become inoperative, and such an amendment could be got through; what would happen? We should have to drop the Bill altogether, because the Secretary of State would certainly veto a Bill which contained a provision of this sort. So that the proposal is not really practical.

"The Hon'ble Sir Ibrahim Rahimtoola says that his object in moving this amendment is to get sufficient money just to meet the deficit, and therefore to drop the salt tax, and above all the income-tax. Well, in the first place, I do not accept the statement. But supposing we had had our way in this matter, suppose we had been able to increase the duty on imported cotton goods, I deny that we should necessarily have raised a full £2,600,000 from the customs instead of £2,100,000. We should have had to consider other matters. I will say this, that the Government of India would certainly not have been a party, at a time when increased taxation was necessary, to leaving the well-to-do alone in the matter of income-tax. Whatever had happened we should have put on the tax there

"Then I must protest against the implication that it is His Majesty's Government that is specifically responsible for the increase in the salt tax. As I said when replying to another amendment just now, we considered it only safe that we should have a fairly large surplus for the current year, and towards that the increase in the salt tax is contributive. It is not right that the Council should assume that if we had been able to tax cotton goods somewhat more, the salt tax would necessarily have remained as it was before. I cannot argue upon hypotheticals; the Council won't expect me to do so. But I do protest against the unfairness of branding His Majesty's Government, so to speak, as being specifically responsible for the increase in the duty on salt. I trust that now the Hon'ble Sir Ibrahim Rahimtoola will withdraw his amendment, but if not, I must ask the Council to reject it."

**The Hon'ble Sir Ibrahim Rahimtoola:**—"Sir, I will be very brief in replying to the debate on the question of this amendment. There is one particular point to which I crave your leave to refer, and that is in regard to the reply given to the statement made by me that but for this refusal to allow additional taxation on textile fabrics the salt tax would not have been necessary. Sir, the scheme of additional taxation in the Financial Statement so lucidly expounded to us, as I said before, by the Hon'ble Sir William Meyer is that there is an Imperial deficit of £2,600,000, and that the additional revenue proposed to be recovered is £3,600,000, leaving a surplus of £1,000,000. Does it not stand to reason, in view of these facts, that if you had from £500,000 to £600,000 of additional revenue from the increased taxation on cotton fabrics, you would have a corresponding reduction in other directions? Does it not follow, in view of the opinion held by the Hon'ble the Finance Minister that the well-to-do should be taxed and the income-tax should there-

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fore remain, that the necessary and logical conclusion would be that, if you could have secured an additional 5 or 6 hundred thousand pounds from cotton fabrics, you would not have increased the tax on salt? I think that the connection is so apparent that it cannot be disputed. Even assuming that a case exists—which I think does not—for getting a surplus in a year like this by additional taxation, here you have from 5 to 6 hundred thousand pounds to be obtained from this additional duty; and surely with the great sympathy which the Hon'ble Sir William Meyer really has for the poor, the tax on salt would have been knocked on the head. Therefore, by refusing to sanction this as represented by the Government of India, the increase of salt tax has become essential and necessary, and therefore, in spite of what the Finance Minister has said, I remain unconvinced and attribute this increased taxation to the refusal of His Majesty's Government. Sir, I know that the Government of India are subordinate to His Majesty's Government. It is no new thing; the Non-official Members have been constantly and repeatedly told that, though they call themselves the Government of India, they are, in reality, the agents of the Secretary of State, and that as such they have got to carry out the orders and the mandates of the Secretary of State. That is, it will be conceded, for a country of the dimensions and importance of India, a very humiliating position; and if we, the Non-official Members, have been and are in season and out of season pressing this point, it is in the firm conviction that our considered views will have ultimately the desired effect of having the Government of India, being really the Government of India, co-operating with us the Non-official Members, and justifying each measure in answer to our criticism and not sheltering themselves behind the orders of the Secretary of State. Sir, that is a consummation pre-eminently to be desired, and I may assure you, Sir, that we, the Non-official Members, will keep on pressing the point to give more powers to the Government of India in order that the administration may be carried on in co-operation between the officials and the people of this country. If this subject comes on repeatedly before this Council for consideration, it will be excused because we mean to bring it constantly and repeatedly before this Council. Sir, I have given an opportunity to Government to get the additional £500,000 they need to make up the deficit. If they will not have it, if they will not have Mr. Dadabhoy's amendment for additional jute duty, if they do not want additional revenue from the sources we indicate and which we are prepared to pay, I hope that they will, when I oppose the income-tax increase and the salt tax increase, give me sympathetic hearing and agree, for reasons which I propose to advance, that no case exists for any increase in these directions. At all events, if there is a case, the Government of India are themselves responsible in refusing to take the £500,000 which we are ready and willing to offer to them to make up the deficit. For these reasons, Sir, I will not withdraw my amendment; I will let it be defeated, because I wish to show, and I hold, that the responsibility of rejecting it is the official majority."

The amendment was put and negatived.

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, in view of the discussion on the previous amendment, I beg leave to withdraw the amendment that stands in my name, namely:—

'That in column 4 headed 'Rate of duty' against item 51, Part II, new Schedule II, for the figures and words '3½ per cent,' the figures and words '7½ per cent' shall be substituted.'

The amendment was, by permission, withdrawn.

**The Hon'ble Mr. Dadabhoy:**—"Sir, it is unnecessary for me to press this amendment now. I may say that I particularly selected jute as I got the cue from the able speech delivered by the Hon'ble Mr. Stewart, as President of the Bengal Chamber of Commerce on 29th February last, when referring to the expected export duty, he pointed out that the 'proposed tax as a means of raising revenue, is not at all an unattractive proposition.' But as

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my amendment about the reduction of salt duty has been withdrawn, I now formally withdraw this amendment also namely :—

‘ That in column 4 headed “ Rate of duty ” against items 1 and 2, new Schedule III, the following amendments shall be made, namely :—

1-4	shall be substituted for	.	.	.	.	.	.	0-10
4-8	”	”	”	”	.	.	.	2-4
20-0	”	”	”	”	.	.	.	10-0
32-0	”	”	”	”	.	.	.	16-0

The amendment was, by permission, withdrawn.

**The Hon’ble Pandit Madan Mohan Malaviya :**—“ Sir, I beg to move—

‘ That in new Schedule III, after item 3, the following item shall be inserted :—

‘ 3A Wheat 1 Indian maund of 32½ lbs. avoirdupois weight 1 0 4 ’.

I see from the figures mentioned by the Hon’ble the Finance Member in his speech, that last year a profit of about 22 lakhs was made on the transactions on wheat. The proposal which I put forward would bring in about 39 lakhs at export duty. If it were not for the fact that a profit of £150,000 was made last year, and as I understand from the speech of the Hon’ble Finance Member, that it is proposed to keep up the same arrangements this year, I would not have proposed an export duty on wheat at this time. If the wheat scheme is to continue, then I submit it would be a better policy to impose an export duty on wheat. We have an export duty on rice, and it is desirable that we should have an export duty on wheat for two reasons, firstly, because it will bring us a fair amount of revenue which we need, and secondly, because it will help somewhat to keep down the price of wheat in the country. In the speech of the Finance Member we are reminded in many places that it was largely in the interests of the Indian consumer that the wheat scheme was taken up and is to be continued. My proposal will work towards the same end. Of course, we do not want any wheat of ours to go to the enemy; we want it to go to the United Kingdom, and to those whom the Government of His Majesty wish to help; we want that policy also to be kept up; but if that policy is kept up, and if about 22 lakhs or so is to be made as profits of that policy, it seems to me that the Government might well recognise the propriety of putting an export duty of 4 annas a maund on wheat. With these remarks, I leave the amendment in the hands of the Council.”

**The Hon’ble Mr. Low :**—“ Sir, I regret that I must oppose this amendment. The Hon’ble Pandit Madan Mohan Malaviya has stated that, in his opinion, an export tax is preferable in its operation to the wheat scheme. I trust I correctly understood him in his statement, for it filled me with a certain amount of surprise. It was explained by you, Sir, in your place in this Council about a year ago, under what circumstances the Government of India found it necessary to undertake the conduct of the wheat scheme.”

**The Hon’ble Pandit Madan Mohan Malaviya :**—“ May I interrupt my friend for a minute? I do not wish that any arrangements under which our wheat is supplied to His Majesty’s Government, and at their wishes to other countries, should be altered. I do not in the least desire that it should be left to anybody and everybody to export wheat wherever he liked. I only wish that an export duty should be imposed on wheat without prejudice to the present arrangements. My suggestion does not go against them; it seeks to impose an export duty on wheat without discontinuing the present arrangements for regulating its supply to selected places and peoples.”

**The Hon’ble Mr. Low :**—“ I fully understand the suggestion which underlies the Hon’ble Member’s amendment, and I defend the position on that basis. We have first of all to consider what will be the incidence of the proposed tax from the point of view of the person who, I shall presently show, will really be affected, namely, the producer. Without entering into

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any such vexed questions as to what is a fair price for the producer to expect, I do not think anybody will quarrel with me if I take as an assumption the price of wheat at Rs-8 a maund at an up-country, Punjab, wheat market like Lyallpur. The Hon'ble Member's proposed tax of 4 annas on the maund on that amount would come, if I am correct, to something like 7 per cent. Now, that is from some points of view a heavy tax, and from another and perhaps more important point of view, as I shall explain later, by no means heavy enough to accomplish what the Hon'ble Member has in mind. I have said that the producer in this country is the man who will have to pay that tax. I do not think I need labour the point at any great length. All over the world, large wheat-producing countries like Australia, Argentine, the States, Canada, and, in ordinary times of peace, Russia, grow enormous areas of wheat, mostly or very largely in some cases with a view to export. Their financial and transport arrangements are highly organised, far more highly organised than in this country; freights for many of them are a good deal less, and in the case of Canada at any rate, if not in other countries, the quality of wheat is superior to that grown in India.

“ The Indian producer is, therefore, competing against these people for the sale of his wheat, and if we super-impose a tax, that is a tax of 7 per cent., it is quite obvious that the deficiency will have to be met by him. Other people will continue to charge their present prices for the wheat that they send to England; India will be able to charge no more for her wheat; the Indian producer will therefore receive so much less, *viz*, 7 per cent. It is not an uncommon result of such a discouragement, in fact a result which may be predicted in this case with some degree of confidence, to find a reduction in the wheat area in India. I do not say a large reduction but some reduction; I don't think that is a prospect which the Hon'ble Member would care to contemplate, and I don't think that his proposal to protect what I may call the wheat-eating industry at the expense of the wheat-producing industry would be attained, and the figures for wheat cultivation after the lapse of say 5 to 10 years would exhibit a reduction which would not be to his satisfaction. During the last 18 months especially, the Government of India have tried to strike a fair and just balance between the claims of the producer and the claims of the consumer; and I think the Hon'ble Member will admit that the Government of India will not show any reluctance in making this attempt or being deterred by the magnitude of the schemes or the complications involved in doing their best to this end when they think it really necessary. The really high prices at this time last year compelled the Government of India to step in; the Hon'ble Member asks us in future, whether wheat prices are high or low, to fine the producer 7 per cent at the expense of the consumer. I think it will be admitted that the proposal is scarcely a fair one. I said at the beginning of my speech that the Hon'ble Member's proposed tax was in some points of view too low. I ask you to consider the position that would arise with the really high prices in England which have been from time to time in force during the past year. Prices have been as high—I am speaking from memory—as 67 to 68 shillings a quarter; a 7 per cent tax on this would be absolutely ineffective; it would require a tax of many times 4 annas to have the influence which the Hon'ble Member no doubt desires. I admit of course that his proposal pre-supposes the maintenance of existing safeguards in respect of restriction of exports and their control and direction, but we have really to rely on the restriction of export against high prices; in the case of medium and low prices the sole effect of this duty would be as I say to inflict an unfair fine on the producer. The only means of dealing with the situation by means of an export tax would be to have the export tax a sliding one, either on the difference between Indian and English prices or on Indian and on English prices. Sufficient reasons were given in your speech last year, Sir, to show the impossibility of this from the disturbance of trade that would result, and the undoubted complications and the upsetting of the market. The Hon'ble Member has, I think, alluded to the tax on rice, or if he has not he will correct me; at any rate some Hon'ble Members have done so during this morning's discussion. I will explain the position in regard to the export duty on rice. It was imposed at a time when the Government of India were under the fond impression that India had a monopoly of the export of rice; this we now

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know is very far from being the case; however, the tax remains and owing to the fact among others that rice is a much more widely grown crop than wheat, and that a larger proportion of it is consumed in the country, not very much harm has resulted from it; for that reason the Government of India have decided to let sleeping dogs lie, and have not touched it. We don't, however, want to embark on a fresh experiment of the same sort in regard to wheat. We have had sufficient experience of the wheat trade during the past year to be quite certain that the result will be undesirable from the point of view of the Indian producer, and unsatisfactory from the point of view of the Indian consumer. For these reasons, Sir, I must ask the Council to reject the amendment."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, I desire to point out a certain inconsistency in the attitude of the Government of India on this question. I find that grain and pulse imported into the country has to pay a duty of  $2\frac{1}{2}$  per cent *ad valorem*. In the speech of the Hon'ble the Finance Member introducing the Financial Statement, he said:—"While taxing grain and pulse at  $2\frac{1}{2}$  per cent in ordinary circumstances, the Government will be prepared, when necessary, to consider the question of exempting them by executive order in famine years.' I find from the Schedule at page 10 that flour imported into the country is liable to a duty of  $7\frac{1}{2}$  per cent *ad valorem*. If a duty of  $7\frac{1}{2}$  per cent is levied on flour and of  $2\frac{1}{2}$  per cent on grain and pulse which are imported into the country, is it very unreasonable to suggest that there should be a duty of 4 annas a maund on wheat which is exported out of the country? Government knows and the Council knows that wheat is the staple food of a large portion of the people, and that the rise in the price of wheat has been a source of real hardship to the great bulk of them; the price of wheat in India has gone up by leaps and bounds. But there has not been anything like a corresponding rise in the incomes of the people. In other countries to which our wheat is exported, the average annual income per head of the population is several times greater than the average annual income of the Indian people. Therefore the great bulk of the consumers in India are put to a great disadvantage in wheat being allowed to be exported free of any duty. I readily concede that if my proposal were accepted, it would impose a certain amount of restriction on the profits which the producer at present earns. I put forward the proposal with that result clearly before my mind's eye. And I am supported in doing so by the Government of India. There are several passages in the speech of the Hon'ble Finance Member in which he has been good enough to say that the wheat arrangement has been kept up in the interest of the consumer, and I think, Sir, that that is the right policy to adopt. In no country can the Government allow any one section of the community to derive unreasonably large profits at the expense of the other sections of the community, particularly where food-stuffs are concerned. For these reasons, I wish the Government would accept my proposal. But I see clearly, that it will not be passed to-day. I beg the Hon'ble Finance Member and the Government of India, however, to take this proposal into consideration, and, if possible, to accept it, when they are framing their Budget next year. I recognise that from one point of view, this is not perhaps the right time to press the proposal. I will not, therefore, press it at present; but I do ask the Government to take the matter into consideration next year, and to take up a position which would be both consistent and reasonable and which would commend itself to the general consumer of wheat in India. I do not press the amendment."

The amendment was, by permission, withdrawn.

**The Hon'ble Sir William Meyer:**—"I now move, Sir, that the Bill be passed with the slight amendment introduced in it by the Select Committee.

"I think I may congratulate the Government and the Council on the business-like way in which the Bill has been dealt with here, and on the fact that we have been able to carry this very urgent measure into law. We have been able to do so in a reasonably short time, and at the same time have elicited all

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reasonable objections I may also, as I said before, congratulate the Council on the ready acquiescence that the Schedules have received.

"I now move that the Bill be passed as amended by the Select Committee."

The motion was put and agreed to.

The Council here adjourned for Lunch.

## THE INDIAN INCOME TAX (AMENDMENT) BILL.

**The Hon'ble Sir William Meyer:**—"Sir, I beg to present the Report of the Select Committee on the Bill further to amend the Indian Income-tax Act, 1886.

"The Report is in the hands of the members. We have made one or two small alterations in drafting to make things more clear, and Sir G. M. Chitnavis has pointed out that in Select Committee he raised the point that the minimum assessable income should be raised from Rs. 1,000 to Rs. 1,200, but the Committee thought this was out of place in view of the financial difficulties of Government. This is a time for increasing taxation, and not for dispensing with taxes, or portions of taxes, already levied.

"I now move, Sir, that you will be pleased to suspend the Rules of Business to admit the report of the Select Committee being taken into consideration."

**The Hon'ble the Vice-President:**—"I suspend the Rules of Business."

**The Hon'ble Sir William Meyer:**—"I now move that the Report of the Select Committee be taken into consideration. I need not say more on the merits of the Bill than what I have already said in my speech introducing the Financial Statement and in that introducing the Bill itself."

**The Hon'ble Sir Gangadhar Chitnavis:**—"Sir, I beg to support the Income-tax Bill. The only points on which I need address the Council are three. In the first place, it is necessary that it should be made clear that the scheme of enhanced taxation which the Bill embodies is accepted by the country as a war measure. Such taxation cannot be tolerated on restoration of normal conditions. It should, therefore, be distinctly understood that I support it only as a temporary arrangement for strengthening the hands of Government during the war. In the next place, I think the assessable minimum should be raised from Rs. 1,000 to Rs. 1,200, in view of the large increase of a permanent nature in the cost of living. It is reasonable that some consideration should be shown to the poorer middle classes with fixed incomes which have deteriorated in value through the abnormal rise in prices. I suggested the amendment in Select Committee, but for reasons which appeared to me reasonable, it could not be incorporated in the Bill. I hope, however, Government will consider the point after the war is over and the financial condition improves. Lastly, in order that the higher rates do not press heavily upon the poorer holders of securities, it is absolutely necessary that the procedure for claiming a refund should be simplified, and I hope that this will be done by the rules framed in accordance with the rule-making power that has been provided in the Act."

**The Hon'ble Sir Ibrahim Rahimtoola:**—"Sir, as I indicated in the course of the previous debates to-day, I rise to oppose the increase in the income-tax proposed by this Bill. I beg to submit that there is no case for any increase in the income-tax at present. I do not wish, Sir, to be misunderstood. I am not opposed in principle to the increase in the income-tax or in the salt tax if there was justification for it. My submission on the present occasion is, that no justification has been made

out for either increasing the income-tax or raising the salt tax. In dealing with this point, I will have to go a little exhaustively into the financial position of the Government of India. Looking at it as a whole, it appears to me that the salt tax has been levied, as I have already contended, to make up the deficiency in the Tariff Bill due to exempting cotton piece-goods from the necessary increase of  $2\frac{1}{2}$  per cent. I now contend that the increase in the income-tax, which represents a revenue of £900,000, is to provide Government with a surplus, which is estimated at a million pounds. I therefore oppose the increase in the income-tax, primarily on the ground that it is proposed to be levied for the purpose of giving Government a surplus. Now, Sir, in connection with that, my submission is that at a time like the present when the country has suffered so much in various directions in consequence of the war, the requirements of Government in the shape of additional taxation should be confined to the actual expenditure estimated by them, and that anything beyond an equilibrium between revenue and expenditure ought not to be sanctioned. To levy, at a time like this, additional taxation for the purpose of providing a surplus appears to me to be totally indefensible. I will deal with the reasons which the Hon'ble Finance Member gave in support of wanting a surplus, after I have pointed out why, in the first instance, I think that the strength of the financial position of the Government of India is so great that no justification can be satisfactorily proved in favour of taxing even the so-called well-to-do people in India with this £900,000 in the shape of additional taxation. Sir, with your permission, I may refer once more very briefly to the broad results of the Financial Statement. The deficit is £2,600,000. The revenue from the Tariff Act which we have passed is £2,100,000; the additional revenue of £500,000 which I wish to give them has been refused. When an equilibrium could have been obtained by means of one form of taxation and one alone, it has been declined. Therefore, I submit that Government will have to be content with opening the new Budget with a deficit of £500,000 for which they are themselves responsible, and not levy any additional taxation in the form of income-tax or salt tax. I may incidentally mention, in answer to the point that it is the well-to-do that will have to pay the tax, that I am opposing, not only the increased taxation against the well-to-do, but also against the poor in the shape of the salt tax—I am opposing both.

“ Now, Sir, assuming, for argument's sake, that my view prevails, and that the Budget in which I wanted to have an equilibrium is allowed to open with a deficit of £500,000, what will be the net result ?

“ Is the financial position of the Government of India sufficiently strong to justify having a Budget of that description ? In this connection you will permit me, Sir, to trouble the Council with a few statistics. Our invariable experience has been that on most occasions the actuals show better results than those anticipated at the time of framing the Budget. Every Finance Minister will naturally exercise caution in framing his estimates. That is a procedure which I do not want to contest. In the Financial Statement which was placed before us on the 1st, the Hon'ble Member has said in more than one place that estimates have been framed with a great deal of caution. I recognise the soundness of this, and I hold that the principle of caution in underestimating, however slightly, your revenue and overestimating, however slightly again, your expenditure, has led in the past in most cases to results of better surpluses than were provided for, or surpluses where small deficits had been anticipated. If the same experience works out for the ensuing year, then even a deficit of £500,000 may reasonably be expected to turn into a surplus, however small it may be, because after all the deficit is only £500,000 in a Budget representing 86 millions.

“ Sir, I have compared the estimates with the actuals from 1907-08. In that year the estimated surplus was over £700,000, while the actual was £300,000, which was less. In 1908-09, the surplus estimated was £571,000 and the deficit was £3,737,000. This is the one year during the last 11 years during which there has been a deficit, and it immediately led to increased taxation. Sir, I will deal later on with the point as to the policy of having recourse to increased taxation immediately a deficit is noticed,

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while, when surpluses are found, on only a very few occasions decrease of taxation has been allowed. In 1909-10, the estimated surplus was £230,000, the actual surplus was £606,000; in 1910-11, the estimated surplus was £400,000 and the actual surplus was £4 millions. I am giving round figures. In 1911-12, the estimated surplus was £800,000, the actual surplus was £4 millions; in 1912-13, the estimated surplus was £1,500,000, the actual surplus was £3,100,000; in 1913-14, the surplus estimated was £1,400,000 and the actual surplus was £2,400,000; in 1914-15, which represented 8 months of war, the estimated surplus was £1,256,000 and the deficit was £2,785,000. That was because war supervened and converted the surplus into a deficit. In the current year, which is the year when Budget estimates were framed at a time when war was on, and in anticipation of the war lasting throughout the year, the deficit estimated was £2,900,000 and the actual deficit was £2,100,000, showing a difference to the good of over £800,000. If you take even the year in which the conditions of war were present, and estimates were framed in consideration of that contingency, the results are over £800,000 better than anticipated. Surely, Sir, if that is so, we may reasonably expect, now that the present Budget has been framed with even greater caution and in full view of the present circumstances of the war, that that caution will lead to better results than those provided for in the Budget. If they prove to be better only to the extent of £500,000, then there will be an equilibrium, and I beg to submit that there is no case for additional taxation, either income-tax or salt tax.

“Let us consider another aspect of the question. What has been the net result of the financial policy adopted by the Government of India during the last 11 years for which figures are available in the Statistical Abstract relating to British India published in England. The figures given are from 1903-04.”

**The Hon'ble Mr. Brunyate:—**“Page?”

**The Hon'ble Sir Ibrahim Rahimtoola:—**“‘Page 47.’ In the year 1903-04, the surplus is nearly £3 millions. In the next year the surplus is £3,500,000; in 1905-06, £2,100,000; in 1906-07, £1,500,000, in the next year, £306,000; in 1908-09, in which, as I have already stated, there was a deficit of £3,737,000. In 1909-10, there was a surplus of £600,000; in 1910-11 of £4 millions; in the next year £4 millions again; in the following year £3,100,000, and in 1913-14, for which figures are available in this statement, it was £2,300,000.

“Sir, taking the total of all these figures during the last 11 years, the Government of India have taken from the tax-payers £20,000,000 in the form of taxation more than what was required for the purposes of the administration. Taking the total of these 11 years, the net result is, that you have taken from the tax-payers £24 millions surplus *minus* £4 millions deficit, leaving a net balance of £20 millions in excess of the revenue requirements of the Government of India. Where has this money gone? This money has been utilised for the purpose of capital expenditure.

“Sir, I understand that the policy which has been followed, and to which I have referred on previous occasions in this Council, has been that these surpluses should be lent to—I will not say used for—capital expenditure. I maintain that these surpluses of revenue were lent to capital and utilised as capital expenditure. I contended before, and if my contention had been allowed, we would have had a separate statement showing the total amount of money obtained from revenue in excess of our revenue requirements and lent to capital, and the sum drawn from capital to meet revenue deficits. There is nothing unreasonable in expecting that a portion of these loans should be repaid when necessary. Such a system would ensure a state of uniformity in taxation and thus avoid being obliged to increase or decrease taxation unless there were recurring surpluses or deficits.

“Sir, if this system had been adopted, and if the present had not been a time of war, I would have contended that the whole deficit should be obtained

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as a refund from capital to which our surpluses to the extent of 20 millions have been devoted during the last 11 years. As it is war-time, I have supported Government in their proposals for additional taxation to the tune of £2,600,000, which fully covers the deficit which they estimate I submit, however, that in view of the fact that during the last 11 years we have lent as much as twenty million pounds out of our surpluses to capital, no further increased taxation should be levied. My case, therefore, Sir, becomes overwhelmingly strong when I stand up here and contend that no increased taxation should be allowed in the shape of income-tax and salt tax, but that Government should be content with the money they have obtained under the Tariff Act

“Sir, there is one more point in connection with this which I should like to make. There was one year of deficit during the 11 years I have quoted. Immediately thereupon, the Government of India resorted to increased taxation. Extra taxation was levied, and it was proved afterwards that there had been no justification for that extra taxation. Our subsequent revenue and expenditure showed that Government could well have done without extra taxation. But even then, that taxation was not remitted but kept on. As I have already stated under ordinary circumstances, I would have contended that Government should obtain a refund from reproductive capital works to which we have lent at least twenty million pounds during the last 11 years out of our surplus revenues, and that no recourse to additional taxation should be made. I beg to repeat that in view of these facts the case against increasing taxation to obtain a surplus is overwhelmingly strong.

“Then, Sir, I may be asked whether, even if the position I have taken up is accepted, it is possible to borrow the required sum of money. I recognise the difficulties that face Government in the matter of borrowing; but if the lucid statement which the Hon'ble the Finance Member has given us is carefully studied, we have reasonable grounds for believing that the appeal to the Indian money-market for the requirements of Government will be met. I say so because I think that the Hon'ble Member has very carefully decided upon a line of procedure which appears to me very wise. I am referring to his proposal of offering to convert an amount of  $3\frac{1}{2}$  per cent. promissory loan notes equal to the amount of tender which an investor may make. I understand from this statement that terms will be offered which will be reasonably inviting; and if that is so, there are reasonable prospects of his succeeding in getting not only the minimum of four millions which he estimates, but also a substantial part, if not the whole, of another four millions which he wants.

“Now, Sir, I appeal to the Government of India—after all we Non-official Members can only plead and appeal—I appeal to the Government of India that, in view of the financial strength of the Government of India which I am going to refer to briefly later on, recourse to additional taxation for the purposes of what I will call a small deficit, if the salt tax is also disallowed, and obtaining a surplus should not be persisted in. In dealing with the financial strength of the Government of India, I will try to point out what are the alternatives which may be relied upon to meet the contingencies—the probable contingencies for which this additional taxation is proposed. Now, Sir, with due deference, I will venture to submit that the principle of levying additional taxation for the purpose of getting a surplus is wrong. Assuming that the actuals turn out as anticipated, both in regard to revenue and expenditure, and that at the end of the year there is a deficit, the Council will then be in a better position to know whether further additional taxation is necessary. If it proves necessary, I will willingly give my support to it. You will observe, Sir, that in submitting this point I am not raising any question as regards the amount of expenditure which Government have thought proper to provide for. At a time like this I do not wish to raise any question as regards the items of expenditure that have been provided for in the Budget. We want to support the Government, and not indulge in any adverse criticism in regard to the requirements which they regard, so far as expenditure is concerned, to be necessary. At the same time you will note that we reserve to ourselves the

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power of criticism, and that is after all the only power we have of examining the adjustments which are taking place at present between Great Britain and India in the matter of military expenditure. At present we wish to give *carte blanche* to the Government of India to do what they may deem proper, but we should not be construed to have consented to waive our right to offer helpful criticism, when the appropriate opportunity arises, in examining the basis and the principles on which these adjustments may have taken place. Sir, referring to the financial position again and the strength of the Government of India, I will deal firstly with the closing balance. According to the Budget we have a closing balance of over 17 millions. I understand from the Financial Statement that a balance of 16 millions is required for working expenses. The excess over the 16 millions is 1,400,000, sufficient to meet the decrease in taxation which I am advocating, 1 million for surplus and £500,000 for deficit. It makes a difference of £100,000, but I do not wish to take up the time of the Council in dealing with that. When we consider in public bodies the question of Ways and Means we have in each public body a suitable amount of working balance, closing and opening balances as they are called in the Budget, but in reality they are working balances; and every public body, including Government, requires for the purposes of unforeseen contingencies and for liquidating the expenditure during the time revenue is coming in to have a suitable working balance. Our surplus balance would be 16 millions if my proposal was accepted; and I venture to ask the Hon'ble Finance Member whether that is not a sufficient shield against unforeseen contingencies. Surely, Sir, when you have a balance of 16 million pounds to fall back upon, when you have the probability of floating a rupee loan for 8 million pounds against an estimated deficit of only £500,000, may I ask whether there is any reason to apprehend that, in spite of unforeseen contingencies against which a provision of a million pounds is now being made, the closing balance in itself is not sufficient to reassure Government of not having to face any financial embarrassment whatsoever. Let us examine in another way the strength of the finances. The financial condition of this country is also proved by another factor. We have our capital debt at about 280 millions, out of which only £12,800,000 is unproductive, and the rest of our debt is productive debt. We had in 1888 an unproductive debt of 73 millions. We have worked it off to 12 millions and odd, that is to say, in about 25 or 26 years, we have worked off our unproductive debt by nearly 60 million pounds. Surely that is also a source of great additional strength to the financial position of Government, not justifying, I venture to submit, the taxation of the people at times like these, when every one has suffered in one way or another for the purposes of providing a surplus. Then, Sir, there is the fourth safeguard, which would also protect in case of emergency. We have the Gold Standard Reserve. This reserve was started in the year 1904, and we have worked it up recently to 26 millions. At a time of emergency the Government of India themselves, withdrew 7 millions for the purposes of Government, and in the interests of the public I gratefully acknowledge that this was done in the best interests of the public, but that they have been able to withdraw as much as 7 millions out of the Gold Standard Reserve shows that it is possible, without embarrassment, to go to that extent of withdrawals from the same. Out of these 7 million pounds withdrawn, 3 million pounds have been repaid, and the present over-draft amounts to 4 million pounds. If we succeed in floating a loan of an additional 4 million pounds that money is ear-marked to be repaid to the Gold Standard Reserve. Even assuming that every item I have placed before the Council goes wrong and fails to fulfil expectations, even then you have a margin of 3 million pounds in the Gold Standard Reserve which you once withdrew and repaid to meet any unforeseen contingencies of the kind for which you propose to impose this additional taxation. Looking at all these points put together, am I wrong in appealing to the good sense of the Government of India not to impose upon the people additional taxation for obtaining a surplus and meeting a small deficit. Sir, I appeal again as I said against any further increased taxation. Not that I am against the principle of increasing income-tax or salt-tax, but that the

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circumstances of the case warrant caution and care, and additional burdens on the people should be imposed only to the extent which is imperatively necessary. I beg to submit that no case can be made out for additional taxation for the purposes of a surplus as imperatively necessary. Unless such a case is made out, which I beg to submit has not yet been made out, there is no case for additional taxation in these two directions.

"Sir, I have shown that in making Budget estimates care is usually taken to work out by past experience the various sources of revenue and the various items of expenditure. At the same time, when unforeseen contingencies have to be provided for, other factors are examined to ascertain whether they can be relied upon to meet them.

"Sir, I have tried to show that we have (1) in the Gold Standard Reserve, (2) in the insignificant amount of our unproductive debt, (3) in our surplus cash balances, and (4) in the cautious estimates of our revenue and expenditure, a sufficient margin for any unforeseen charges which may have to be met. I submit that there is clearly no case for additional taxation for such a purpose. There is one point to which I will briefly refer, and that is, the view that has been expressed that India is lightly taxed; that in view of the increased burdens which Great Britain is bearing, India ought also to bear additional burdens. As a wise financier, my Hon'ble Friend, Sir William Meyer, is utilising that sentiment, and he has seen that the Council has supported him in the Tariff Bill practically unanimously. In this connection, it is necessary to examine what is the economic condition of England as compared with that of India, and what is the estimated income per head of population per annum in England as against that of India; what, again, is the proportion of taxation per head of population in England in relation to the total income as against the same conditions in India? If I were allowed, I would have gone exhaustively into this question. I will briefly state to the Council what is the result of working out the figures from the available statistics, and I will mention them for what they may be worth. The British population is 45 millions in 1913-14, the total revenue was 200 millions. This works out per head of population at £4-8 or Rs. 66. The income per unit of population in England is calculated at from £47 to £66; if we work it on the maximum of Rs. 1,000 per annum, it gives a percentage of taxation of 6½ per cent. Assuming that, in consequence of the war, it is recently increased by 25 per cent, it would work out to a little over 8 per cent. of their total income. In India, our revenue is 80 millions, excluding an estimate of 6 millions possibly drawn from Native States. This works out to Rs. 5 per head on 240 millions of the population of British India. Now, putting it in that way, it does appear that in England the people pay per head as much as Rs. 80 in the shape of taxation, whereas we, in India, pay only Rs. 5; there is a world of difference between Rs. 5 and Rs. 80. But let me put it in another way. We have an income estimated at Rs. 30 per head and Rs. 5 is one-sixth, or over 16 per cent, so that we, in India, are paying nearly double the rate of taxation in relation to our income than is paid by the people in Great Britain in spite of the war. Assuming that the national income in Great Britain is only the minimum estimate of £47 or Rs. 700 per annum, the rate of taxation works out at about 11 per cent. against India's over 16 per cent. Let me put the case in another way. Out of a minimum income of Rs. 700 per head, each individual pays on average Rs. 80 in the shape of taxation. This leaves a balance of Rs. 620 per head of population per annum for all other purposes. In India, out of the national income estimated at Rs. 30, Rs. 5 go towards meeting taxation, while only Rs. 25 per head of population per annum are left for all other purposes. It cannot for a moment be contended that India is lightly taxed. No comparison between taxation in England and India can be made, unless the relative economic condition of each country is taken into consideration. We are prepared to meet additional taxation to provide the revenue needed for the purpose of meeting such expenditure as the Government have themselves estimated. It appears to me that our attitude in regard to these matters ought to satisfy Government that we wish to co-operate with and meet them in this crisis to the utmost of our power, but

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when it comes to the point of taxing our constituents, the people of this country, in the shape of an income-tax in order that a surplus may be provided, I submit that that is going too far. I have already dealt with the reasons advanced in favour of this, I daresay that many things may happen in the meantime, but surely that is not a contingency that has not always been present; that is a contingency that ought to be met. As I have said we have ample resources; are the Government going to get into financial difficulties and embarrassments for want of this surplus of a £1,000,000? I appeal to the Government, and I appeal with all the force at my command, there is no case for additional taxation in order to find a surplus; all the factors which I have taken a considerable time to explain to the Council lead me to that conclusion. In meeting the Government to the extent of the additional expenditure which they have provided in the Budget we are co-operating with them to the utmost that we can reasonably be expected to do. I trust that my appeal will prevail, and that the country will not be asked to contribute additional taxation to that extent. One word more, Sir, and I have done; to put the case conversely; assuming that the whole scheme is carried through, and that at the end of next year the Government find they have a surplus of 3 to 4 millions instead of one million, does the Hon'ble Member give us this guarantee that he will come forward and remit both the income-tax and the salt tax? It appears to me that in these matters we have got to proceed on the facts and information that are before us, and, having regard to all the facts and information that has been disclosed, I submit that there is not an iota of a case in favour of putting on additional taxation on the people of this country at a time like this, to secure to Government a surplus of 1 million pounds. For these reasons, Sir, I am opposed to the Bill."

**The Hon'ble Mr. Dadabhoy:**—"Sir, were it not for the present exceptional circumstances, pointed out by the Hon'ble Finance Minister, I would have hesitated to accord my support to any scheme of fresh taxation. I am not in favour of additions to our taxes. But the war is responsible for a situation abnormal in the extreme and beset with difficulties of an uncertain nature. We have to yield to pressure. We Members of this Council have made it clear before now that we would be prepared to support Government in any proposal to levy imposts for the successful prosecution of this war. I for one stick to that loyal resolution, and I cheerfully support this Bill with this reservation, that the scheme of taxation it legalises should be overhauled on the complete rehabilitation of our finances. I do not lose sight of the fact that, according to the Hon'ble Finance Member's calculation, our revenues stand in danger of a permanent diminution, while our liabilities will grow in volume after the war, and that therefore permanent sources of additional revenue must be found. But I believe the Hon'ble Sir William Meyer is over-cautious. I look with confident hope to the future, and I am almost sure, after the conclusion of the war, there will be such a rebound in our finances as will render the present additional taxation superfluous. Unless heavy and extraordinary charges are debited to India as a result of the war, any possible inflation in our annual expenditure will be more than balanced by a normal increase in our existing revenue, and these additional supports will not be needed. It is also a question how far a portion of our Budget provision is unavoidable. But this is not the time for comment. The hands of Government must in no way be weakened. The Bill must be supported. Large as the increase in the income-tax is, it gives me great pleasure to support the scheme, in that the principle of a graduated scale of taxation has been finally adopted. Hon'ble Members will remember that, in 1910, in connection with my Resolution in Council for raising the assessable minimum, I strongly advocated that the tax should be levied on a graduated scale. I am glad Government has at last seen the justice of the plea, and a generous effort has been made in the Bill before us to secure an equitable distribution of the tax. This is undoubtedly right. Difference of opinion may indeed exist both about the maximum rate levied and about the minimum income assessable to that rate. But in view of the gravity of the situation, I do not quarrel about these

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particulars. We ought to bear carefully in mind that in England the rate is very much higher, and there is every prospect of its going up higher still. There is thus no just ground for complaint on the score of the maximum rate in the Bill. It is only fair that we all should liberally contribute to the public finances; and it is likewise fair that the rich should pay proportionately more than their less favoured countrymen.

“ Sir, *my* chief complaint about this whole business of additional taxation, however, is that it has been necessitated, to a large extent at any rate, to the wanton surrender by us of the major portion of our opium revenue. Had that productive source remained intact, we could have borne even the present financial strain without difficulty, and without burdening the country with any additional tax. It is doubtful if China has been freed from the evil habit in consequence of our forbearance, but we have for a certainty lost the bulk of the large and special revenue. That is a point on which the people might well feel sore

“ One word more with reference to what has fallen from Sir Ibrahim Rahimtoola. My Hon'ble friend has referred to £20 millions recovered from the people during the last eleven years and spent on capital expenditure. But he fully knows that a large portion of our capital expenditure is of a productive nature and brings in a large revenue to Government, which in a manner helps to diminish the burdens of the people. Consequently the figures which he has quoted are not so appalling as they seem to be.

“ With these words, Sir, I support the Bill.”

**The Hon'ble Pandit Madan Mohan Malaviya :—**“ Sir, with the remarks which Sir Ibrahim Rahimtoola has made regarding the general position of our finances, I cordially agree. I think, Sir, with due deference to the Government of India, that our finances have not been as economically and carefully administered as they should have been, and I think it also my duty to say that, while we recognise and feel grateful for the retrenchments which the Hon'ble the Finance Member has brought about, I feel strongly, and there are many others who feel with me, that there is much greater room for improvement by retrenchment. I suggest, and I hope the suggestion will be carried out, that there should be a Committee of non-official and official Members of this Council appointed to scrutinise the expenditure. If this is done, I expect that we shall be able to effect a much larger reduction in expenditure than has been brought about by official scrutiny alone. It is only fair that Non-official Members, who are asked to co-operate with Government by giving their support to the proposals for additional taxation, should be given an opportunity also to point out where reduction is possible. I will not go into the figures which my friend has put before the Council in such abundance. I will not go into all those figures, I think there is enough in his speech, even if some of the figures may not be quite correct, to awaken us to a sense of the importance of having a closer scrutiny made of the expenditure side of our Budget.

“ Sir, there is not the least doubt in my mind that for many years past taxation has been maintained at a high level, at a higher level than it should have been—and there is not the least doubt, too, in my mind that there is room for much retrenchment which ought to be brought about. With those contentions of my Hon'ble friend I entirely agree, but when we come to deal with the situation we find ourselves in, I feel that I cannot entirely support him. I agree—that if a larger retrenchment had been taken up in right earnest, it would not probably have been necessary to put on all the additional taxation which has been put on or proposed; if the arguments of my friend are sound, as I have no doubt to a great extent they are, I would join with him in urging that some of the taxes proposed should be avoided; but I would wish that these taxes should be those that fall on the poorer classes of the community rather than that the proposal to increase the tax on higher incomes should be abandoned. I am not among those who would

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vote for additional taxation merely because the tax proposed happens to be one which I regard as equitable in principle. It is perfectly reasonable to urge that, if as the result of a closer inquiry, the Government are convinced that they do not require all the revenue they have budgetted for, they should have the fairness and courage to agree to the proposal that a proportionate share of the proposed taxation shall be abandoned. But I do not expect, from my knowledge and experience of this Council and of the ways of the Government of India, that at this juncture, after the proposals have been carefully considered by the Hon'ble the Finance Member in his Department, when the Budget Statement has been laid before the Council there is going to be in the immediate present any such re-examination of the financial position as would compel the Government of India to the conclusion that they should not ask for a portion of the revenue that they have asked for. And if the amount budgetted for is the amount on which the Government of India have set their heart, if that is the amount which they must have in hand in order that the Finance Member and the Government should feel secure that during the next twelve months the finances of the Empire will not go seriously wrong, and that there would be no financial embarrassment, then I submit that the proposal for raising the income-tax, being by its nature eminently equitable and just ought to be supported.

“ I think, Sir, that while there is a good deal in the proposals for new taxation which deserves commendation, that while the proposals for additional taxation generally are equitable and sound and show a great deal of considerateness on the part of the Finance Member and his Colleagues, there is no proposal which is so eminently equitable as the proposal to introduce a graduated income-tax. It is but a truism that those who receive the greatest favours from, or derive the greatest benefits under, a Government ought to contribute most largely, proportionally to their means, to the support of that Government. The Government have added to the burden of the humblest of the humble, the poorest of the poor, in enhancing the salt tax; the new or increased import duties are also nothing but an additional burden upon the general taxpayer; they will not be paid by those who manufacture the articles taxed but by those who consume them. All these are general indirect taxes. The only one direct tax is the tax on incomes. Now the Government have, with great considerateness, left alone the existing rate of income-tax where it is so far as incomes up to Rs. 5,000 are concerned. They have put on the increased rate only upon those who have incomes going above Rs 5,000. I think that is eminently fair and reasonable. The poorer section of the community ought to be exempted from paying this tax. Those that are able to pay should be required to contribute in a manner fairly commensurate with their incomes. I may say, if I may be excused for saying it, that I have always felt a special satisfaction in contributing the income-tax to the coffers of Government. I have felt that that was a contribution which I was consciously making towards the administration under which I live and benefit, and I feel that that ought to be the feeling of every one who benefits by the system of administration under which he lives. It is true, no doubt, that there are many of us who would like not to have to pay any tax; it is true also that if all taxes could be avoided, it would be a very happy state of things. But that is not to be; and as all taxes cannot be abolished, when the happy time should come when some taxes can be remitted, I would ask the Government and the Council, to think of remitting taxation which presses upon the poor rather than of altering the proposals for a graduated income-tax which will press upon those who, thanks to the blessings which they enjoy, are well able to meet it. That being my view of the situation, I think that the present Bill ought not to be opposed. As I have said before, I join with my friend Sir Ibrahim Rahimtoola in earnestly pressing for, earnestly praying for, such a general overhauling of our expenditure side of the Budget as will enable the Government and the public to say where reduction should be made, and when that has been done, and the time arrives for remission of taxation, I would wish those taxes to be removed in the first instance which press upon the poor.

"I apprehend, however, that we are in for all this additional taxation for a long time. I cannot look forward with any hope to the time when these additional taxes will be taken off. That is not in the history of the Government of India, ordinarily speaking. We no doubt had a remission of taxation eight or nine years ago. But I do not look forward with any hope that we shall have much of a remission of taxation again in the near future. I hope, however, that these additional revenues which are being obtained should not—I speak with respect, but I speak with deliberation—should not lead to a further extravagance in expenditure being indulged in in the years that are to come. There are many temptations, there are many directions in which an increase of expenditure will be asked for. There are directions in which, I fear, even an unjust pressure will be brought to bear upon the Government of India to meet expenditure which it ought not rightly to bear. I am sorry to say that I notice one such instance in the present Budget. The Government of India have fought valiantly (and they deserve our thanks for having so fought) against sea transport charges being debited to India in the past and the present year. Every one understands that since the war began we have not incurred those charges for transporting troops; that we have not received the services for which those charges have been levied upon us. And yet the powers that be in England have ruled that we must be debited with those charges because, forsooth though we did not as a matter of fact incur them, we would have incurred them but for the war! and because if those charges were not debited to us we should be making a profit out of the war! I submit that is not a fair way of looking at the matter. If charges have not been incurred, there can be no justification for saddling India with those charges. I cannot think of any possible answer to that. I can well understand our being asked to make a humble contribution, however humble it may be, to the war fund; I can well understand our making spontaneously a humble offering to support the Government, as we have done in other ways, but I cannot see the justice of India being saddled with charges that she has never incurred, or which have never been incurred for her. I mention this as one instance of the danger to which we shall be exposed in a greater measure when there will be a surplus revenue in the hands of Government, because of the additional taxation, as I feel sure with Sir Ibrahim there will be at the end of 12 months, of that surplus being utilised for meeting charges which are either unjust or exorbitant.

"I also think that there is great force in the contention of my friend the Hon'ble Sir Ibrahim Rahimtoola against a resort to additional taxation to provide a surplus. If this taxation were being imposed to meet the wants of the people for greater education, to provide for more sanitation, to provide for the development of indigenous industries, to provide for developing the resources of the country, the case would stand on a very different footing. We might well then, deliberately, knowingly, with our eyes open, agree to additional taxation in order that additional revenues might be raised to promote national efficiency and thereby national wealth, to bring the people up to a level of civilization and prosperity with other parts of the British Empire, but it is a very different matter when additional revenue is being raised in order merely to provide a surplus, which my friend has shown (and there is great force in what he has said) may not really be required. Taking however the whole situation into consideration, and having a feeling of hopelessness that the decision which the Government have arrived at will not now be altered or modified, I think that the proposals which are now before the Council regarding the higher income-tax ought not to be disturbed. I hope that when the time comes for remitting taxation, other taxes may be remitted, but that this tax will stand, and this for two reasons: first of all because it is an eminently equitable tax; its burden falling upon those who are best able to bear it; secondly, because this tax will probably lead some of us who will have to pay it to look a little more closely into the expenditure side of our finances. I hope it may induce some of us to seriously think whether it is not possible to have the administration carried on on much cheaper, more economical lines without sacrificing efficiency; and if this

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hope should be realised, that additional interest taken in our financial administration will, I expect, more than repay us for the loss of income we shall sustain and the hardship that some of us feel in submitting to the increased tax.

“ With these remarks, Sir, I strongly support the motion which has been made by the Hon’ble Finance Minister.”

**The Hon’ble Khan Bahadur Mian Muhammad Shafi:—**

“ Sir, in view of the abnormal conditions created by the world-war, I give my willing acquiescence to the imposition of an additional income-tax as proposed in this enactment, particularly because the extraordinary expenditure which the Government has to meet, is proposed to be met in a manner calculated to produce a minimum of hardship. As the Hon’ble Finance Minister explained to us in his admirable speech introducing the annual Financial Statement, the persons who, under the existing law, are exempt from payment of these taxes and those whose incomes amount to Rs. 4,999 will in no way be affected by the proposed measure. And of the 37,000 persons who will have to pay enhanced taxation, only some 3,500 persons will pay the highest rate proposed in this Bill. It is quite true, as was observed by my friend Sir Ibrahim Rahimtoola, that these well-to-do classes contribute very largely in various ways towards our public exchequer. But I, for one, feel certain that this class of persons will recognise that those who benefit most under the protecting ægis of the greatest Empire known to history ought to contribute most in times of special crisis, such as the one with which we are faced to-day. Sir, I should have been perhaps the first person to subscribe to every word of what my friend the Hon’ble Sir Ibrahim Rahimtoola has said if the question of increased taxation, as he called it, for a surplus had arisen under normal conditions: but in view of the extraordinary circumstances created by this war, and in view of the possibility of all sorts of contingencies which may arise during the forthcoming year—or as the Hon’ble Finance Minister said in view of the contingency that this war may last for another year or more—we ought to be prepared to support the Government in imposing an additional tax, the incidence of which will fall only on those classes who can afford to pay and ought not to grudge these £900,000 which the Government seeks to derive from the Income-tax Bill.

“ Sir, since the introduction of the Bill into this Council, I have had opportunities of discussing its provisions with some of the leaders of public opinion belonging to various communities in the Capital of the Province which I have the honour to represent. The provisions of the Bill have further been discussed at a meeting of the Punjab Muslim League held on Sunday last. They all recognise that, under existing circumstances, the imposition of an additional income-tax is unavoidable as a war measure, and it is as such that they are all willing to give it their support. We all hope that, when the extraordinary circumstances which have necessitated the imposition of this tax have ceased to exist, this enactment will be expunged from our Statute-book and the *status quo ante* will be restored. Sir, it is in this spirit, and in this spirit alone, that we agree to the imposition of this additional income-tax.”

**The Hon’ble Mr. Rama Rayaningar:—**“ Sir, I support the Bill. The Hon’ble the Finance Member has given us as one of his reasons for adding to the permanent resources of Government that, after the war, further funds will have to be provided for such beneficent purposes as the improvement of education and sanitation. Thus the legislation, while providing for the war contingency, contemplates to make permanent provision for some of the most pressing needs of the country. The legislation therefore is desirable. It is true that the Bill legislates for enhanced taxation, payable by the few. But the few who have to pay the increased tax are the wealthy few, hitherto but slightly touched by taxation. (The general scheme of the Bill is so good that one cannot but support its adoption. The Bill is an improvement over the existing law, inasmuch as it gives support in a more marked degree to the principle of graduation in rates and that that principle is applied with

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judgment in working out the details. However, another principle, equally important and equitable, the principle of abatement, is ignored in this Bill. Some time back I gave notice of a Resolution recommending the principle of abatement, but, unfortunately, I could not move the Resolution. This principle has been accepted in most civilised countries, and there is no reason why it should not be introduced into the Indian law of income-tax. In all classifications of assessable income allowance should be made for the cost of maintenance, not only of the assessee but also of their dependents. I hope, after the war is over, Government will be pleased to give due effect to this salutary principle in the law.

“ Sir, I have one more observation to make and that is, that when occasion arises for the application of the extra funds, which increased taxation brings in, Government should consider the claims for support of agriculture and industries, especially village industries, along with the claims of education and sanitation. The improvement of the material condition of the people is as important as the improvement of education and sanitation. Money spent on agriculture and industries is money well spent. When the people are materially better off they will themselves spend more on education and sanitation.”

**The Hon'ble Rai Sita Nath Ray Bahadur :—**“ Sir, as observed before, in the present state of the Empire, when it is involved in the greatest war known to history, and when the English people have cheerfully come forward to make the greatest possible sacrifices, it is only fair, just and equitable that India, while protected by the powerful Navy and Army of England and thus enjoying the security of life and property unmolested, should also cheerfully submit to the schemes of taxation, based on incomes the incidence of which will fall heavily on the higher classes of people, *i.e.*, people who are able to pay. I am indeed glad that the tax, while not touching all incomes below one thousand, is going to be levied on a graduated scale, the incidence of which will no doubt fall on the higher and richer classes. But while we cheerfully submit to this tax, we fervently pray that when the necessity for this additional income-tax would cease to exist, on the conclusion of peace, the additional tax will be removed and not made a source of permanent revenue. It is not a light matter that a man should be suddenly called upon to pay a tax which is two and a half times higher than what it was before.

“ With these few words, I beg to support the Bill.”

**The Hon'ble Rai Ghanasyam Barua Bahadur :—**“ Sir, I think that of the two Bills which are before us to-day, this is the one which we should consider the least open to objection, as it deals with a very reasonable form of taxation, and the distribution has been carefully and equitably made. Considering the gravity of the situation, the need for additional taxation as the Hon'ble the Finance Minister has so clearly explained to us, and the very cautious and considerate way in which he has imposed the taxes, it would have been much better if we could have seen our way to pass both these Bills without much discussion. I wish we could do so. Unfortunately, we have launched into a great deal of discussion, some portion of which it would have been much wiser, I think, not to have gone into at all, as advised by His Majesty's Government and the Hon'ble the Finance Minister. I am, however, happy to see that both the Bills have received almost unanimous support, the support that they deserved, and I hope the whole country will be prepared to gladly bear the additional burden owing to the peculiar circumstances that have necessitated it. In a situation like this, I think that, instead of insisting upon the Hon'ble the Finance Member doing without additional taxation or of finding fault with him for budgetting for a surplus of one million, it would have been more reasonable to ask him simply to be cautious in spending the amount and keeping it in hand as a reserve only for particular contingencies that may arise. In a time like this, I think nobody would call it unfair or unwise for a

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Finance Minister to so strengthen his hands as to be able to have something in hand for any urgent call to which he might at any moment be exposed. We see that the frontier troubles going on with more or less continuity, and the call upon us in connection with the eastern theatre of the war may be more urgent at any time. Besides, there may be other deficits, *e.g.*, the railway traffic may suddenly receive a check. It is no wonder if considerations like these induce one to keep some extra money by, and we should consider it only a matter of ordinary prudence for a wise Finance Minister to keep such a margin in hand. In the peculiar circumstances of the case we might have satisfied ourselves by saying simply that the resources should be well husbanded, that where one pice would suffice two should not be spent, and that where a rupee could be saved it should be saved; and the great care which has been continually exercised by the Finance Minister in presenting the Financial Statement every year should lead us to depend very much on him for that. On all these considerations, I think we should have been much wiser in not drifting into the long and somewhat unfortunate and unpleasant discussions that have taken place to-day.

"It should have been enough for us to say that we accept the Bills as a war measure, but that if it so happens that we do not want the surplus for the purposes of the war, we shall ask him to spend it for purposes which will benefit the people from whom it has been obtained. We might ask him then to see that the proceeds of the salt tax and the income-tax go to the relief of the poor, in the improvement of education and sanitation and so forth. The war will not go on for ever; it will come to an end sooner or later. Then will be the time to press on the Government to reduce all extra taxation which the conditions of war have brought upon us. Why not let the Bills be passed without protest and depend upon the Finance Minister's calculations for the present? This is really not the time for quarrel or controversy but for smooth and united work. Since the outbreak of the war Bills to the extent of hundreds of millions have been passed in the Houses of Parliament in England, and the people of the United Kingdom have submitted without a murmur. In consideration of the part that we are bound to take in this world-wide war, and in consideration of the promise and pledge that we have already made to this effect, I think in these small matters we should have been able to do without controversy and let the Bills be passed at once, especially after what the Finance Minister said. As soon as the war is over we shall have time to readjust the accounts and ask him to reconsider these measures in more detail. I hope the Council will see the advisability of not lengthening discussions any further. I beg to give full support to the Bill."

**The Hon'ble Mr. Madhu Sudan Das :—**"Sir, judging from the speeches that have been made on this Bill, we are all agreed that there should be no attempt on the part of anybody to oppose the new taxation which has been necessitated by the war. But while there is a positive and marked reluctance to withhold any money which Government wants to meet the emergencies of the occasion, some Hon'ble Members have thought it fit—or rather, I should say, have considered this a proper and fitting occasion—to refer to what they would like to describe as erroneous administration in the past. If we once admit that there is need for extra taxation necessitated by the emergencies of the present moment, and that we should not withhold our acquiescence in it, I do fail to understand what good can be derived from going to the past or criticising the administration of the past. It may be that millions might have accumulated in the shape of surplus. It is true perhaps that the actual surpluses have exceeded the anticipated surpluses. But Hon'ble Members should not lose sight of the fact that these surpluses have been spent as capital outlay, which means, all those comforts, facilities and conveniences of civilised life, without which we should not have been proud as subjects of the British Empire, which we are to-day. The very fact that the actual surpluses have exceeded the estimated surpluses proves that at any rate the Government of India has not been playing

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ducks and drakes with the money, but that great care has been taken in its expenditure. It may be that a closer scrutiny into the finances might have swelled the actual surplus a little more, but those are things of the past and my outlook is of the future. For the present, I am content to bear the burden that is put on my back and shoulder, but I look forward to a brighter future. That should be and is my position at any rate. And if the English nation, if the Government of India, if the Secretary of State or the India Office, if any of these do not do their duty, well, that will not be our fault. The war has awakened the world's conscience; the war has opened the eyes of all nations. Our conduct therefore will be judged by the verdict of the world and by the impartial verdict of history.

"With these words, Sir, I give my entire and whole-hearted support to the Bill "

**The Hon'ble Sir William Meyer:**—"Sir, I am very glad to find that there is such unanimous support of the Bill in the Council—such *almost* unanimous support of the Bill, I should say—such almost unanimous recognition of the justification for the Government proposals. The only discordant note has been struck by the Hon'ble Sir Ibrahim Rahimtoola, and I cannot pass over some misleading statements that he made.

"In the first place, in dealing with the financial expedients which we might employ to avert having to raise income-tax, he spoke of our having a reserve in the shape of our balances, which normally amount to sixteen odd millions. Well, anyone might suppose that the balance in question lay always handy, that it was a balance such as a private individual keeps at his bank and could draw upon easily at any time. Of course it is nothing of the sort. The balances of the Government of India—normally 4 millions in London and 12 millions in India itself—are scattered all over the country. They are the joint products of the balances of every tahsil and district treasury. Portions of them are held at the Presidency Banks at Bombay, Calcutta and Madras, where they are useful for trade, and so on. They are really till-money to finance the requirements of a sub-continent. When then we say that our cash balance is for instance £16½ millions, it does not follow that that those 16½ millions can be used. There is only a very small portion—in India practically the amount that we hold from time to time in our reserve treasuries—that can be promptly used; and I can assure the Council that there have been moments in this last year in which I have been rather anxious about the state of our cash balances; and have had to meditate—what I should have done with the greatest reluctance—withdrawing more money from the Presidency Banks.

"Then, the next misleading statement was that during a certain number of years—since 1903, I think, the Hon'ble Sir Ibrahim Rahimtoola said—some 20 million pounds had been paid by the taxpayer towards capital expenditure. Well, I call that statement misleading because they were not really paid by the taxpayer in the sense in which one ordinarily understands the word. Several millions of that money came from the opium revenue from huge sums that were paid during the last years of our opium trade with China by persons anxious to pass on opium at heavy cost to the Chinese. Those millions were not paid by the taxpayer in India. Then there is the money derived from the commercial undertakings of the Government. Take the railways. During the last few years the railway receipts have been rather in excess of our eventual surpluses. I would like to read the figures for the last few years. In 1912-13, the net profit from railways, after meeting interest charges, was about £4,800,000. The actual surplus was £3,100,000. In 1913-14, railways produced about £5,000,000, but the actual surplus was only £2,300,000. In 1914-15, railways produced £2,150,000, nevertheless there was a total deficit of £1,800,000.

"In the current year we now estimate for a railway profit of £3,300,000; nevertheless the final, general, deficit is £2,000,000. In the Budget, again, we have with the fresh taxes proposed, a surplus of £1,000,000, but this is after reckoning £2,500,000 of railway profits. It must also be remembered that the

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Government get a good deal from opium and forests, in like manner. Well, it is not fair, it is very unfair to talk about receipts derived in that way as being derived from taxes. They represent voluntary disbursement from those who pay them, and when they are put into capital expenditure, it has been an excellent result for the taxpayer. If, for instance, Hon'ble Members will refresh their memory by turning to the last section of my Budget speech of last year dealing with the public debt in India, they will find that, partly through the reduction of our unproductive debt by the application of past surpluses we now derive some £6,000,000 of clear revenue from our great capital undertakings. Those transactions I say give you a net profit of £6,000,000 after providing for interest; and let me remind Sir Ibrahim Rahimtoola that the strong position of India which he speaks of is owing to the self-denial of our predecessors who went on through difficult periods in which there were deficits, went on paying the money and left us in this strong position in which we now are. But this does not warrant us in dissipating the capital that our predecessors obtained for us and proceeding to budget for deficits. Sir Ibrahim Rahimtoola also referred to the fact that the actual surplus of the year is generally materially in excess of the amount budgeted for. Well, it is a particularly difficult task to budget for India, which is a sub-continent. My predecessor referred to the Indian Budget, in a now classic phrase, as a gamble on rains. I should say now that it is in even greater measure a gamble in railways. Our figures may be materially altered—generally to the good, sometimes unhappily to the bad—by the character of our railway receipts. Of course, we do our best in calculating what our railway receipts will be; we consult our railway experts and so on; but we are all out sometimes. Now considering the vast scope of our railway system, the number of factors involved, and the extent to which a small percentage of difference in profit or loss will affect the railway Budget, I do not take any discredit for the fact that railways have, generally speaking, done better than was expected; though sometimes, on the other hand, they do not do so well. In 1908-09, for instance, the then Finance Member estimated for a surplus of £570,000, but got a deficit of £3,700,000, partly through agricultural distress, but very largely through a falling off in railway earnings. Similarly, in the previous year (1907-08) the surplus, as Sir Ibrahim Rahimtoola quite candidly admitted, was less than was anticipated in the Budget. Well, there being this risk, generally, of the Budget figures not working out as we anticipate, it is far better to be on the right side than on the wrong. This year, for instance, as I have already said, I was really anxious till the railways came to the rescue. If the railways had not, to the surprise of everybody, of the experts themselves, produced very much more than we had any right to anticipate, instead of the deficit this year being a million less than estimated, it would have been probably a million more. Well, I am not going to run any such risk next year; we cannot afford it. I think Sir Ibrahim Rahimtoola has had his eyes so fixed on Great Britain and the shortcomings of the Government there, as he puts it, that he has rather forgotten what the financial circumstances of India are. The Chancellor of the Exchequer at home can cut things rather fine, because he can, if things go wrong, if there is a deficit instead of a surplus, raise money by exchequer bills; and then he can, when Parliament meets, also vary taxes, and raise money in that way. In India, supposing a state of things was brought about—by a trade crisis, we will say—in which the Government of India was losing money hard, we should certainly not be able to get money from the Presidency Banks or the money-market generally. At present, again, we have not the further resource of raising money at home; nor is anybody who is really acquainted with the circumstances of the people of India anxious to subject them to perpetual alterations of taxation. There is nothing so much disliked in this country as uncertainty; we know it from the salt tax. Rumour said last year that the salt tax was about to be increased. There were unfounded and exaggerated rumours this year as to the extent to which we proposed to increase the tax, and speculators sent the price up. We do not want that state of things; we do not want people apprehensive lest a turn of the tide should impose some further taxation. We want, in imposing taxation, to do it in a definite and sound way so as to give us adequate resources.

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“Sir Ibrahim Rahimtoola says that every time there is a deficit the Government of India imposes fresh taxes. Well, I do not admit that this is so at all. There was a deficit in 1907-08 which was passed by. In 1908-09, there was a further big deficit of nearly 4 millions, and next year my predecessor imposed fresh taxes to the amount of a million. Why did he do this? He did not do it merely with reference to the deficit, but with reference to the probable disappearance of the opium revenue, which has disappeared since; and as I told Council last year, the equivalent of the taxes then imposed, £1 million, has been subsequently allotted to education and sanitation. Well, what does the present Government do? There was a big deficit in 1913-14 attendant on the war. There would be another big deficit in the current year, as we know. So long as we thought we could get on without fresh taxation we did not tax; we resorted to all sorts of expedients which would not have been desirable except in very special circumstances, borrowing from the Gold Standard Reserve and so on. But now that we have come to the third year of deficit, and there is the prospect that the war may go on for a long time yet, and that we shall later have to reconsider our scale of expenditure probably, it would be absolutely immoral to go on estimating for deficits. Sir Ibrahim Rahimtoola propounds a little Budget in which we shall have to scrap the salt tax and the income-tax and have a deficit of £ 00,000 which is to be covered by the grace of God, I suppose. Anyhow, he hopes that things will be better than they are to-day; if they are worse then make a raid on the Gold Standard Reserve, or meet them from the cash balances, or from this or from that. I regard that as absolutely immoral finance. The Government proposes taxation so as to give, I won't say a surplus, because that suggests a normal state of things, but an adequate margin to meet a state of affairs which may be very materially worse than is anticipated at present. It may of course be better, I hope it will be. I shall be very glad if that is so. Then I am asked what I shall do if there is a larger surplus than we anticipate. There is a very easy answer to that; we have still got a very heavy temporary debt which we ought to discharge as soon as possible; we have still £1,000,000 due to the Gold Standard Reserve, and £5,500,000 due on the India Bills. If our loan operations are successful, we may get some money to pay towards reimbursing the Gold Standard Reserve, but we have still the India Bills.

“Then I have been asked what I shall do later on if peace and prosperity return and we find ourselves in an era of surpluses. I can give no pledge as to the repeal of any particular tax now imposed; when we are nearer to prosperity we shall have to consider the matter. My own personal view—I am here in sympathy with the Hon'ble Pandit—is that when we come to consider the remission of taxation generally, the taxes to be first considered are those which specially affect the poor, and I say this that when we come nearer to prosperity if I am still in office—or if I have gone I can say the same of my successor—Government will take into consideration how far the taxes which have been imposed in times of adversity need to be continued, and if remissions are thought desirable, what particular form those remissions should take.

“Lastly, I am surprised that, seeing that the Hon'ble Sir Ibrahim Rahimtoola recommended that we should budget for equilibrium or even a small deficit, he did not think less money should be obtained from Customs, and I am surprised that he should have exposed himself to misconstruction—for misconstruction I am sure it would be—by opposing a tax specially designed to make wealthy people like himself contribute to the public purse; I should have thought that in his place it would have been more altruistic to vote for the income-tax and propose a reduction of the Customs.

“With these remarks, Sir, I move that the Report of the Select Committee be taken into detailed consideration.”

The motion was put and agreed to.

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“Sir, in section 5 of the Income-tax Act there are about ten cases of exemptions from the

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tax ; these provisions are repeated in the Bill. I propose that sub-section (d) be omitted. I shall read it, it runs as follows :—

‘ Any profits of a shipping company incorporated or registered out of British India and having its principal place of business out of India and its ships ordinarily engaged in seagoing traffic out of Indian waters.

“ This is the clause of which my amendment asks the repeal or deletion ; it is not capable of much argument either way ; you have to look at the principle, if any, of the exemption. I looked at the Proceedings relating to the passing of this Act in 1886. I did not find any cogent reason why this exemption was introduced in the provisions of the Act of 1886. The Bill which became the Act of 1886 did not contain this exemption, but after it was referred to Select Committee, the Hon’ble Mr. Steel seems to have raised an objection on the ground that this Act would annoy the shipping agents, and it was also vaguely feared that Collectors would go to ships and ask for various particulars, etc., then the exemption was introduced. It was also said that much money did not come in from this source under the law prior to the Act of 1886. Why this was so, whether because it was not available or whether evidence could not be reached, I was unable to gather from the Proceedings. Whatever it may have been, the hope was held out that the point was capable of revision at subsequent times. Now thirty years have passed since the Act was passed ; at that time the great carrying country of the world was England ; there has since then been a considerable change in the commercial and carrying capacities of the world, and I see no reason why this exemption should be retained any further.

“ With these remarks, Sir, I beg to move the amendment that stands in my name—

‘ That for clause 3 of the Indian Income-tax Amendment Bill the following shall be substituted, namely :—

‘ 3. In section 5 of the said Act the following amendments shall be made, namely—

(a) ‘ clause (d) shall be omitted, and

(b) in clause (j) after the word ‘ any ’ the words ‘ company or ’ shall be inserted.’ ”

**The Hon’ble Sir William Meyer :—**“ Sir, as I explained in my speech introducing the Financial Statement, there are a variety of matters in which the existing enactments will require revision sooner or later. We did not propose to complicate this question of additional taxation by going into all these matters ; that would have taken a long time and the Council will readily imagine that we were pressed with Budget work and with the special anxieties that war brings about.

“ As regards this amendment, I have looked up the point and have communicated privately with the Hon’ble Member. I find that, in 1886, the then Finance Member and the Select Committee thought that the tax on shipping would have been very difficult to collect. It would have been impossible owing to vessels going from country to country, and the cargoes being transferred from vessel to vessel, to estimate the profits derived from Indian trade separately. Similarly, it would have been impossible to estimate the profits of the ships for the period that they were in Indian waters. It was said, too, that the shipping trade at that time—this would not apply now—was in very low water. In 1912, before I assumed office, various suggestions had been made in respect of the amendment of the Income-tax Act that require consideration, and a revision of this sub-section was one of them. So if my Hon’ble friend will take it from me that when a fitting opportunity offers for a general revision of the Act, quite apart from the present emergency taxation, this question will be fully considered. I hope he will be satisfied and will withdraw his motion.”

**The Hon’ble Mr. C. Vijiaraghavachariar :—**“ The Hon’ble Member will perhaps permit me to say that this point required no serious investigation ; at the same time as he tells me that the matter will be looked into, I beg to withdraw my amendment.”

[*Pandit Madan Mohan Malaviya; Sir William Meyer.*] [7TH MARCH, 1916.]

The amendment was, by permission, withdrawn.

**The Hon'ble Pandit Madan Mohan Malaviya :—**"Sir, I beg to move—

'That in clause (a), Part I, column 2, of the second Schedule set out in clause 8 of the Bill, for the figure "1,000," the figure "1,200" and for the figures "83-5-4," the figure "100" shall be substituted.'

"The reason for this amendment is very simple and very obvious. The Government have very considerably exempted incomes up to Rs. 1,000 from taxation. We feel grateful for it, but prices have risen and living has become more costly, and the great bulk of the middle class find it more and more difficult to make the two ends meet. I therefore propose that the exemption should be raised to Rs. 1,200. It will not cost the Government an excessively large amount. I have looked up the figures for 1911-12—figures for later years not being available to me. They show that in that year the number of persons who paid income-tax on incomes ranging from Rs. 1,000 to Rs. 1,250 was 98,716. That was the number of persons assessed on incomes between Rs. 1,000 and 1,250; but the total sum raised from them amounted to Rs. 19,31,213 only. So, that when nearly a lakh of persons were assessed and put through all the difficulties and hardships to which income-tax assessments expose the middle class people, the total sum realised by Government was only Rs. 19,31,213. I submit, Sir, that in view of the great increase of taxation in recent years and of the proposals for additional taxation which have been before the Council during the last few days, the Government are in a position to remit Rs. 19 lakhs and to bring relief to a large body of middle class people throughout the country. If the Government will be pleased to give up Rs. 19 lakhs they will afford relief which will be substantial to a large number of men, and the finances will not much suffer.

"It may be said that it is rather strange that when Government are resorting to fresh taxation in order to raise more revenue, I should come forward with a proposal to reduce or to give up a part of the existing revenue; but I submit, Sir, that the very fact that fresh taxation is being put on, and that a large sum is being raised thereby, affords justification for the view which I am submitting to the Council. The salt tax is a tax which everybody among the middle class will pay; the import duties will also add to the burden of the general middle class people. For these reasons, I hope that my proposal will commend itself to the Hon'ble Finance Member, whose sympathy with the general middle class people and the poor is very well-known, and I do hope that the Government will see their way to accept it."

**The Hon'ble Sir William Meyer :—**"I regard the proposal of the Hon'ble Pandit with a good deal of personal sympathy. In fact, if I may make a confidence to the Council, one of my day-dreams when I was first taking up the post I now hold was that I hoped to be able, before my term of office was over, to enlarge the sphere of exemptions from income-tax. But fate has willed it otherwise, and instead of the peace and prosperity that marked my predecessor's *regime* I have fallen into an era—a *Kali-yuga*—of war and troubles. As matters stand at present, I am afraid I cannot accept the amendment. It would involve a considerable amount of money—£140,000 according to the rough calculations I have made. But there is a more important principle involved. This tax has been borne for 30 years. I do not think it would be right, at a time when we are asking a number of people to bear enhanced taxation in one way and another, that we should start remitting a tax which has been so sanctified by custom. It would be really inconsistent. I must therefore oppose the amendment; but I can assure the Hon'ble Mover that if a time should come at which I shall be in the happy position of considering remissions of taxation instead of impositions of taxation, this will be one of the first things that I shall then consider."

[7TH MARCH, 1916]

[*Pandit Madan Mohan Malaviya; Mr. C. Vijiaraghavachariar.*]

**The Hon'ble Pandit Madan Mohan Malaviya:**—"I know that when my Hon'ble friend has decided a question, his decision must be final, and so I must bow to it, though I feel that, with his sympathy with the proposal, he could have easily spared 19 lakhs when he is raising an additional revenue of 3 millions. I do not wish to take up the time of the Council any more. I thank my Hon'ble friend for the assurance he has given, and trust that, in the not distant future, this proposal will be actually carried out. I do not press my motion."

The amendment was, by permission, withdrawn.

**The Hon'ble Pandit Madan Mohan Malaviya:**—"The other amendments were consequential, and they will not be moved, namely:—

'That in the table in Part II, column 2 of the Second Schedule—

(a) entry 1 shall be omitted, and

(b) for the figures "1,000" in entry 2 the figures "1,200" shall be substituted

'That in the table in Part III, column 2 of the same Schedule—

(a) entry 1 shall be omitted, and

(b) for the figures "1,000" in entry 2 the figures "1,200" shall be substituted.

'That in clause (a), Part IV, column 2 of the same Schedule—

(a) the words and figures "not less than Rs. 1,000 but less than Rs. 1,250 the tax shall be Rs. 20" shall be omitted, and

(b) for the figures "1,250" were they occur for the second time the figures "1,200" shall be substituted."

The amendments were, by permission, withdrawn.

**The Hon'ble Mr. C. Vijiaraghavachariar:**—"Sir, I beg to move—

'That in clause (a), Part III, column 1, of the Second Schedule set out in clause 8 of the Bill, the words 'by draft on any place in British India' shall be omitted.'

"This amendment needs some explanation. A distinguished friend of mine asked me, as soon as I came here this morning, what I meant by this amendment. I owe it to the courtesy of the Hon'ble Finance Minister if I proceed to give that explanation. I sent out the amendment partly in ignorance and partly from suspicion; but in the light of the lessons which I have derived this morning, I don't believe that my amendment is altogether out of order.

"Hon'ble Members will remember that our Income-tax Act is constructed very much on the lines of the English Income-tax Acts, that is to say, incomes are doubly immune from income-tax, firstly, if any income comes within one of the ten exemptions mentioned in section 5, the proprietor of that income pays no income-tax. That I shall call positive immunity, but it does not follow from this that incomes which do not come into the list of exemptions necessarily pay income-tax. Section 4 creates liability to income-tax only those incomes which can be traced to the sources mentioned in Schedule II, so that a man may negatively escape income-tax if his income is not traced to the sources mentioned in Schedule II. As far as I understand the English Acts, they are also constructed on the same principle, and I believe that once upon a time a judicial decision was reached wherein it was held that the owner of a property which did not come under any one of the items mentioned in the English Schedules, A. B. C. D. and E, was not liable to pay income-tax notwithstanding that that property did not come within the list of exempted properties. My amendment relates to this aspect of the law. My suspicion is that certain proprietors of incomes, by reason of the words which I wish to delete, escape the payment of income-tax altogether. My amendment relates to the following clause—It is repeated in the present Bill—Part III, clause (a). *i.e.*, interest on, promissory notes, debentures, stock or other securities of the Government of

[ *Mr. C. Vijayaraghavachariar* ; *Sir William Meyer.* ] [ 7TH MARCH, 1916 ]

India (including securities of the Government of India whereon interest is payable out of British India *by draft on any place in British India*)'. I propose to omit the words 'by draft on any place in British India'. I could not understand why liability to income-tax was restricted to this particular form of payment. I strongly suspected, as I said when I sent in my notice of amendment, that under this qualification the holders of our Sterling loans escaped income-tax altogether. I need not remind the Hon'ble Council that the income-tax under our Act, as in England, is collected in two ways. One is before the income reaches the owner, by the method of what is called catching it at the source as in the case of Government promissory notes, where when the interest is paid the income-tax is deducted and then the balance is sent to the proprietor. Of course, if we are not liable to pay income-tax at all, we must apply afterwards for a rebate but in any case, whether the holder of a security is liable or not liable on account of the minimum income from all sources being below Rs. 1,000 a year, if he is not liable to pay income-tax, the tax is yet deducted from the interest on the security and later on he is entitled to apply and get a refund. But in all these cases the income-tax is taken at the source and not collected afterwards from the owner of the income by proof as to what he has obtained. Now, in this particular case there is this difference between the holders of rupee securities and the holders of sterling securities as a class. The holders of our Sterling securities, unlike the holders of the rupee securities, escape paying income-tax altogether. They are not caught at the source on account of the existing wording of the clause in question, and as they are beyond the jurisdiction of the Government of India, they altogether escape as the second method of assessing and collecting the tax is not available in their case. I therefore beg that these words should be omitted in order to bring that large class into the scope of our Income-tax Act."

**The Hon'ble Sir William Meyer:**—"I understand, and in a way sympathise, with the Hon'ble Member's desire to get more money for us, but I am afraid that his proposal is not feasible. In the first place, he says that holders of Sterling securities escape the income-tax. They escape our income-tax because they are not liable to it, but they pay at the source in London to the British income-tax. Now Sterling securities have been ruled by the Law Officers of the Crown (and that necessitated an amendment to the Trust Act the other day) to be technically not Indian securities, that is not securities of the Government of India; they are securities issued in London by the Secretary of State for India. So that they are not taxable as securities under the Act, but only in the event of the proceeds being remitted out here, in which case they are taxable under section 3 (5) as incomes or profits accruing or received in British India. But, as my Hon'ble friend came and spoke to me on this matter yesterday, I put it to him that, even if we had the power—which we have not—of taxing these Sterling securities, it would be very inexpedient to do so. The interest on our internal loan we can tax as we think fit, but we do not borrow in London for the mere pleasure of it. We borrow because we need the money, and the money is found for us by people who have often no connection with India and no desire to come to India, but just put their money into Indian investments as they might into Japanese or Australian, as a little investment. These people already pay a heavy tax to the British Government on what they get from our Sterling securities or other sterling securities which they hold. If we saddle them with a local income-tax as well, the result will be that our loans will fail; either we shall not be able to borrow, or we shall have to raise our rates and lose much more than we gain by this relatively small amount which my Hon'ble friend would like to rope in. All countries recognise the difference (Japan especially) between an internal and external debt. On your external debt you have got to treat your creditors lightly, because otherwise they will prefer to lend to somebody else.

"I may finally observe that, apart from that, a question has been raised—and I think it will have to be considered in connection with the readjustment of the fiscal relations between the component parts of the Empire

[ 7TH MARCH, 1916. ] [ *Sir William Meyer ; Mr. C. Vijiaraghavachariar.* ]

which His Majesty's Government has indicated—the question of the double income-tax, as to whether it is right and expedient that profits which people have made in (say) Australia or India or Canada, which are subject to income-tax by the Governments of those countries should be taxed again in London. We should certainly weaken our case, if we were—assuming even that we had the power to do so—to start the policy of double grab and say we are going to dip our hands into pockets which have already been mulcted by the British Exchequer. For these reasons, Sir I am quite unable to accept my Hon'ble friend's amendment."

**The Hon'ble Mr. C. Vijiaraghavachariar:**—" Sir, I fear that it would be very bold and perhaps impertinent of me, just a pupil who received his lessons to-day and yesterday, if I attempt to traverse the arguments of the Hon'ble the able Finance Minister, but it does strike me that, if, as his pupil, I cannot venture to criticise him, I may yet ask him some questions. It is, I believe, open to a pupil to ask questions of his teacher. So I do desire to ask him some questions. If double income-tax is paid as regards certain incomes, both in England and in the Colonies, may I know why, till a final Imperial settlement is reached, double income-tax should not be paid, both as regards India and England? And this is my question No. 1.

" But if there should be no double income-tax, why should not England be the loser? The money lent is ours; why should we lose the income-tax? It is only by a strange fiction that these Sterling securities are called securities of the Secretary of State. This fiction rests on an old remnant of, I should say, superstition of the old John Company whose principal place of business was in London. What business has the Secretary of State to call himself the 'Government of India'? The Government of India is here; and the Secretary of State for India is our agent for this purpose. Instead of calling those securities securities of the Secretary of State, may we not more accurately call them securities of Government of India from whom the money comes? And instead of enfacing interest as payable at Whitehall, why not enface them as payable in Delhi and add to the prestige of new Delhi? That is my question No. 2.

" May I ask how long is this artificial distinction between rupee loan and Sterling loan to be kept up? By the change of currency laws in India we have dethroned the rupee from its ancient position, and it is fast becoming a mere token coin. I cannot understand then why any distinction is still kept up any further between rupee loan and Sterling loan. Are the two classes of loans necessary? Cannot all be Sterling loans now? Is the artificial distinction between the two sets of loans and securities desirable? That is my question No. 3.

" Now it is said, the Hon'ble Finance Minister has said so, that if we insist upon income-tax as regards holders of Sterling securities, our loans in future would fail. Would it be altogether a disadvantage? If loans in the foreign markets are not available for us on fair terms, may we not then learn, more and more with the co-operation of the people of India, and not as now with the help of foreign investors, how to adjust our own domestic affairs and to get our loans in India itself on such terms as may be possible? And would not this course be a great national advantage in every interest? I simply ask this question. That is my question No. 4

" I would also ask you to give me an answer to one more question and I shall sit down, and that question is this:—Is not the present policy holding out a premium to moneyed people to invest their money in Sterling loans instead of rupee loans? If Sterling security holders are immune from the Indian income-tax, if investors in this country can easily obtain Sterling securities, directly or by transfers, would they think of rupee loans with the invidious liability to pay income-tax on the interest? Is not this a very unsound fiscal policy? And is it not holding out a premium in favour of Sterling loans and make savings in this country shy of investment in rupee securities?

[ *C. Vijayaraghavachariar ; Sir William Meyer.* ] [ 7TH MARCH, 1916. ]

“These are the questions I would put and if the Hon’ble the Finance Minister will kindly answer them satisfactorily, I will certainly withdraw the amendment, otherwise I fear I must press it.”

**The Hon’ble Sir William Meyer:**—“It is getting late and I should prefer the alternative of voting on the amendment at once to answering the questions.”

The amendment was put and negatived.

**The Hon’ble Sir William Meyer:**—“I now move that the Bill, as amended by the Select Committee, be passed.”

The motion was put and agreed to.

The Council adjourned to Thursday, the 9th March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,  
Legislative Department.*

DELHI ;

*The 17th March, 1916.*

## APPENDIX A.

(Referred to in Answer to Question No. 5.)

*Statement showing the number of officers recruited in India and England for the Imperial Archaeological Department since the beginning of 1902.*

Year.	Name of officers recruited.	REMARKS.
1902	Mr. (now Sir John) Marshall . . .	
„	Mr. E. B. S. Shepherd . . .	
1904	Mr. W. H. Nicholls . . .	
1906	Dr. Sten Konow . . .	
„	Mr. A. H. Longhurst . . .	
„	Mr. D. B. Spooner . . .	
„	M. R. Ry. Rai Bahadur Venkayya .	
1907	Mr. R. F. Tucker . . .	
1908	M. R. Ry. Rao Sahib Krishna Sastri .	
1910	Pandit Daya Ram Sahni . . .	
„	Mr. Gordon Sanderson . . .	
1911	Dr. (now Sir Aureal) Stein . . .	Before this he was only a part-time officer.
„	Mr. J. F. Blakiston . . .	
„	Babu R. D. Banerjee . . .	
„	Mr. D. R. Bhandarkar . . .	He was holding a temporary appointment in the Archaeological Department from 1904.
1912	Mr. H. Hargreaves . . .	
„	Mr. C. Duroiselle . . .	He holds a temporary post in the Archaeological Department.
1913	Mr. J. A. Page . . .	
„	Maulvi Zafar Hasan . . .	
1915	Pandit V. A. Natesan Aiyar . . .	He holds a temporary post in the Archaeological Department.

**APPENDIX B.***(Referred to in Answer to Question No 6.)*

*Statement showing the average annual charges of the last three years for the establishment of officers of the Imperial Agricultural Department including the establishment of the Agricultural Adviser to the Government of India.*

	Gazetted Indian Establishment.	Non-Gazetted Establishment.
	R	R
Agricultural Adviser to the Government of India .	2,673	42,277
Imperial Agricultural Chemist . . . . .	6,127	7,622
Imperial Mycologist . . . . .	2,693	8,005
Imperial Entomologist . . . . .	3,217	14,797
Imperial Agricultural Bacteriologist . . . . .	2,752	4,436
Imperial Economic Botanist . . . . .	894	5,938
Imperial Agriculturist . . . . .	3,145	12,944
Imperial Cotton Specialist . . . . .	...	3,357
Imperial Pathological Entomologist . . . . .	...	7,408



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT

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PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

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The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Thursday, the 9th March, 1916.

PRESENT :

The Hon'ble Sir WILLIAM CLARK, K.C.S.I., C.M.G., Vice-President, *presiding*,  
and 57 Members, of whom 50 were Additional Members.

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**QUESTIONS AND ANSWERS.**

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

1. “(a) Will the Government be pleased to indicate the progress of Local Self-Government in India by giving for each year province by province for the last five years the number of elected members for each Municipality, District Board and Local and other Boards under the Local Self-Government Acts ?”

Progress of  
Local Self-  
Government.

(b) Do the Government propose to direct that such statements should be published in future year by year ?”

**The Hon'ble Sir C. Sankaran Nair** replied :—

(1) “The figures asked for by the Hon'ble Member are given by provinces for Municipalities and District Boards, respectively, in the statement\* which I put on the table. Further details will be found in the statement appended to the various Provincial Reports.

(2) The figures are already published annually in the Provincial Reports.”

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\* *Vide* Appendix A.

[ *Mr Surendra Nath Banerjee ; Mr. C. H. A. Hill.* ] [ 9TH MARCH, 1916 ]

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

Prohibition  
of the  
export of  
wood pulp  
by the  
Swedish  
Government

2. “(a) Has the attention of the Government been drawn to the action of the Swedish Government in prohibiting the export of wood pulps for the manufacture of printing paper ?

(b) Is it a fact that paper made from wood pulps is at present largely imported into India for printing purposes ?

(c) Is it a fact that paper-making materials are to be had in abundance in many parts of India and Burma. Will the Government direct an inquiry into this matter, and state what action, if any, it proposes to take in this connection with a view to foster the growth of the indigenous paper industry ? ”

**The Hon'ble Mr. C. H. A. Hill** replied :—

“(a) The Government of India have no information on the subject other than that which has appeared in the Press.

(b) The Government of India believe this to be the case, but have no definite information as to the extent to which the paper imported into India is manufactured from wood pulp

(c) The answer to the first part of the question is in the affirmative. The possibility of fostering the paper pulp industry in India has formed the subject of detailed inquiry, both by the Government of India and by Local Governments for some years past; an expert in the manufacture of paper pulp having been employed by the Government of India for this purpose. The results of these inquiries have been published, from time to time, by the Forest Research Institute. Concessions for the manufacture of pulp from wood, bamboos and savannah grasses have been given in several provinces, while the Government of India have reason to believe that in one province the Local Government has under consideration a project for the erection of a small pulp factory in order to test thoroughly the commercial possibilities of savannah grasses for the manufacture of paper pulp. In these circumstances, the Government of India do not consider it necessary to direct any further special inquiry into the matter, more particularly as they understand that, under present conditions, little progress can be expected owing to the difficulty of procuring the necessary machinery and chemicals ”

**The Hon'ble Mr. Surendra Nath Banerjee** :—

“ May I ask the Hon'ble Member, as a supplementary question, to state, if he thinks fit, the name of the Government which is making these arrangements ?

**The Hon'ble Mr. C. H. A. Hill** :—

“ There is more than one Local Government at present making inquiry into the matter.”

**The Hon'ble Mr. Surendra Nath Banerjee** :—

Is the Bengal Government one of them ? ”

**The Hon'ble Mr. C. H. A. Hill** :—

“ No, I think not, so far as my recollection goes at the moment.”

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

Dacca  
and Patna  
University  
Bills.

3. “(a) Has the attention of the Government been drawn to the statement which has appeared in the newspapers to the effect that it is improbable that the Dacca University Bill will be taken up in the Imperial Legislative Council before next autumn at the earliest, and that the Patna University Bill will also be delayed ?

(b) Do the Government propose to instruct the Local Governments to introduce these Bills into the local Legislative Councils and dispose of them in those Councils ? ”

[9TH MARCH, 1916.] [Sir C. Sankaran Nair; Mr. Surendra Nath Banerjee; Sir R. W. Gillan; Mr. Qumrul Huda; Sir Reginald Craddock.]

**The Hon'ble Sir C. Sankaran Nair** replied :—

“(a) The attention of Government has been drawn to the statement in question.

(b) The proposals for legislation for the Patna University are still under consideration. As regards the Dacca University, it is intended to introduce the legislation in the Imperial Council, and the Local Government has concurred in this procedure.”

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

4. “(1) Will the Government be pleased to make a statement showing the measures that have been taken from 1905 to 1915 to promote the comfort and convenience of Intermediate and Third Class Railway passengers ?

(2) Will the Government be pleased to state what further measures they propose to take in the same direction in the immediate future ? ”

Measures taken to promote the comfort and convenience of Intermediate and Third Class Railway Passengers.

**The Hon'ble Sir R. W. Gillan** replied :—

“A statement\* is laid on the table showing the measures which have been adopted by the Railway Board, from the constitution of a Board in March 1905 up to the present time, for securing the greater comfort or convenience of 3rd class passengers, and of passengers generally where passengers of the 3rd and Intermediate classes are mainly affected, and showing also the action immediately proposed with the same object. No steps have been taken especially for the benefit of Intermediate class passengers.”

**The Hon'ble Mr. Qumrul Huda** asked :—

5. “(1) Have any Indian newspapers been placed under Government censorship since the Defence of India Act, 1915, was passed ? If so, will the Government be pleased to lay on the table a list of such newspapers giving the places of their publication ?

(2) Are any instructions issued to the persons conducting such newspapers regarding matters which it is desired that they should not publish ?

(3) Is it a fact that the printers and publishers of such newspapers are directed not to allow anything to appear in them unless it has been previously submitted to a censor, and its publication has been approved by him ?

(4) If the answer to (3) is in the affirmative, will the Government be pleased to state under what circumstances and on what grounds such action is deemed necessary ?

(5) Will the Government be pleased to state the names of newspapers, if any, which were once censored, but in regard to which the order placing them under censorship has been withdrawn ? ”

Censorship of Newspapers.

**The Hon'ble Sir Reginald Craddock** replied :—

“So far as the Government of India are aware, orders under the Defence of India Act have been passed against two papers—the *Hamdard* and *Zamindar*—requiring them, prior to publication, to submit matter of certain kinds for the scrutiny of a Government officer. This action was necessitated by the manner in which these papers were being conducted. So far as is known, the orders have not been withdrawn.”

**The Hon'ble Mr. Qumrul Huda** asked :—

6. “(1) Is a Government censor required to possess any general and journalistic qualifications for the satisfactory and fair discharge of his duties ? If so, what are these qualifications ?

Qualifications of, and instructions to, Censors.

[ *Mr. Qumrul Huda ; His Excellency the Commander-in-Chief ; Khan Bahadur Mir Asad Ali Khan ; Sir Reginald Craddock ; Maharaja Ranajit Sinha of Nashipur ; Sir C. Sankaran Nair.* ] [9TH MARCH, 1916.]

(2) Are any instructions given to a censor to guide him in the discharge of his duties ? If so, will Government be pleased to lay on the table a copy of such instructions ? ”

**His Excellency the Commander-in-Chief** replied :—

“ (1) No definite qualifications are laid down for the members of the Deputy Chief Censor’s staff. They are however carefully selected with regard to their suitability.

(2) The instructions issued for their guidance are, for obvious reasons, confidential, and the Government of India do not propose to lay them on the table.”

**The Hon’ble Khan Bahadur Mir Asad Ali Khan** asked :—

Compilation showing classification of holders of all appointments on Rs. 200 and over.

7. “ (a) Was a compilation showing the classification of holders of all appointments carrying a monthly salary of Rs. 200 and over prepared at the instance of the Public Service Commission ?

(b) If so, has the compilation been published for the use of the general public ?

(c) If the compilation has not been published, do Government propose to publish it at an early date ? ”

**The Hon’ble Sir Reginald Craddock** replied :—

“ Such a compilation was made for the use of the Public Services Commission. It has not been published, and the question of its publication can best be considered when the report of the Royal Commission becomes available.”

**The Hon’ble Maharaja Ranajit Sinha of Nashipur** asked :—

Financial powers of Provincial Sanitary Boards.

8. “ Will the Government be pleased to state if any Provincial Sanitary Board has been entrusted with financial authority and responsibility ? ”

**The Hon’ble Sir C. Sankaran Nair** replied :—

“ So far as the information at the disposal of the Government of India shows, Sanitary Boards in certain provinces have been entrusted with financial authority and responsibility. For example, in Bombay, the United Provinces and Punjab certain sums are placed by the Local Government every year at the disposal of Sanitary Boards for distribution.”

**The Hon’ble Maharaja Ranajit Sinha of Nashipur** asked :—

Sanitary Boards.

9. “ Will the Government be pleased to state in which provinces non-officials have been included as members on Sanitary Boards ? ”

**The Hon’ble Sir C. Sankaran Nair** replied :—

“ So far as the information at the disposal of the Government of India shows the provincial Sanitary Boards in Bombay, Bengal, the United Provinces and Punjab contain one or more non-official members. In Burma, where there are divisional Sanitary Boards, a non-official may be added at the discretion of the Commissioner.”

[9TH MARCH, 1916.] [ *Sir Fazulbhoy Currimbhoy; Mr. C. E. Low; Mr. Madhu Sudan Das; Sir William Meyer.* ]

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

**10.** “(a) Has any communication been received by the Government of India from the Secretary of State for India regarding a Resolution of the House of Commons relative to the organisation of the economic strength of the Empire with a view to secure economic superiority over enemy countries? Organisa-  
tion of the  
economic  
strength of  
the Empire.

(b) Has the attention of Government been drawn to a report to the effect that Mr. Bonar Law recently stated in the House of Commons, in reply to a question by Mr. Hewins, that the Overseas Dominions had been approached by the Imperial Government on the subject of the Resolution referred to in (a) ?

(c) If so, do the Government of India propose to make efforts to co-operate with the Imperial Government and the Dominion Governments for the attainment of the objects in view ?”

**The Hon'ble Mr. C. E. Low** replied :—

“The answer to part (a) of the question is in the negative.

The answer to part (b) of the question is in the affirmative.

With regard to the third part of the question, the Government of India have throughout the war been in the closest co-operation with the Imperial Government in respect of rendering available the economic and industrial resources of India for the purposes of the war. The manufacture of munitions and the export of such important articles as manganese, saltpetre, sandbags and wheat, as well as numerous others of less importance have, whether at the request of the Imperial Government or on the initiative in many cases of the Government of India, been organized, controlled and directed, with the view of giving the utmost possible assistance to Great Britain and the Allies. The Imperial Government, therefore, are well aware both of the nature and extent of the resources of India, and of her willingness to co-operate in any way in which they may desire ”

**The Hon'ble Mr. Madhu Sudan Das** asked :—

**11.** “(a) What sum of money (if any) was lent to the several Presidency Banks in India from the Paper Currency Reserve during the last calendar year (1915) ? Money  
advanced  
from the  
Paper Cur-  
rency  
Reserve to  
Presidency  
Banks in  
India.

(b) Did the Presidency Banks re-advance to other Banks the amount thus lent to them ? If so, will the Government be pleased to state the terms of such re-advance as regards the rate of interest and the purpose for which this money was to be used ?

(c) Were any firms or individuals financed out of this money with a view to help industries ? If so, will Government be pleased to state the names of such firms or individuals ? ”

**The Hon'ble Sir William Meyer** replied :—

“No money was lent to the Presidency Banks from the Paper Currency Reserve in 1915.”

## FINANCIAL STATEMENT.

### FIRST STAGE.

**The Hon'ble Sir William Meyer** :—“ I beg, Sir, to open the first stage of the discussion on the Financial Statement for 1916-17.”

**RESOLUTION *RE* REDUCTION OF SALT ESTIMATE.**

**The Hon'ble Sir Ibrahim Rahimtoola :—**" Sir, I beg to move—

'That the estimate of Revenue from salt be reduced by £600,000 (six hundred thousand pounds) and be passed at £3,400,000, so that the rate of taxation may be retained at the rate of one rupee per maund as during the current year.'

"Sir, in view of the several discussions which have already taken place in the Council, it is not my intention to speak at any great length on this subject. On the present occasion I am, personally, safe from any criticism because the object of my Resolution is that the poor may be relieved of this additional burden. I want to make it perfectly clear that I have never been opposed to the imposition of fresh taxation to meet the requirements of the Government of India. I have clearly disclaimed any intention of opposing increased taxation from any one of the three sources proposed by Government, if the money was needed for the purposes of administration to cover in full the estimated expenditure prepared by Government themselves. My objection has throughout been that at a time like this when, in consequence of the war and the effects thereof, the people of India have suffered as have all the other component parts of the British Empire, that fresh taxation should be imposed for the purpose of obtaining a surplus.

"Sir, the financial position has now become clear. In consequence of the passing of the Indian Tariff (Amendment) Bill and the Income-tax Bill, the result of the next year's Budget so far has been clearly established as follows: The total deficit estimated in the Financial Statement of £2,600,000 has been more than covered because the estimated additional revenue will now yield £3,000,000—£2,100,000 from the Tariff Act and £900,000 from the Income-tax Act. This additional revenue of £3,000,000 places the position of the Budget as follows: the full estimated expenditure is now financed and there is a surplus of £400,000.

"On the present occasion, therefore, my object in moving this Resolution is to appeal to the Government to consider whether, having regard to the fact that they have already obtained a surplus of £400,000, they should obtain a further £600,000, estimated to be obtained from the salt tax, and swell the surplus from £400,000 to a million pounds.

"Sir, I clearly recognise that the salt tax is regarded by Government—and rightly too—as a reserve. For the purposes of administering a vast country like India, it is necessary that certain sources of revenue, certain sources of taxation, should provide a reserve to be called up in case of emergency; and I recognise that the salt tax lends itself to that kind of reserve. At the same time, there is this thing to be borne in mind, that that reserve should only be tapped when it is absolutely necessary—especially so because the incidence of this tax largely falls upon the poor. If, as I said, a case is made out for additional taxation, I am quite prepared to accept the position which the Government of India have taken up, namely, to take all the revenue they can get from the increase in the tariffs, the second source to be tapped being the income-tax, and the last source being the salt tax. Now, Sir, the first two sources have been tapped, and they give not only the entire revenue that is required for the purpose, but they provide a surplus of £400,000. Under these conditions, Sir, I would appeal to the Government of India to consider whether, in view of these facts, they should persist in carrying out their intention of obtaining an additional revenue of £600,000 from salt or, at all events on this occasion, leave salt alone, reserving it for next year if circumstances then necessitate increased taxation.

"Sir, there is an additional reason why I make this appeal. As a consequence of small increases and decreases in the salt tax considerable dislocation is caused in retail prices, and there is a strong body of opinion to show that the actual rates charged to the poor are in many cases in considerable excess of the actual additional revenue obtained by Government. Sir, taking that into consideration, would it not be better not to have this increase of four

[9TH MARCH, 1916.]

[*Sir Ibrahim Rahimtoola; Mr. Surendra Nath Banerjee; The Vice-President.*]

annas in the maund now till a strong justification is made out for additional revenue for administrative purposes, and then to regulate this tax in a manner so that it may be maintained at that rate for a considerable number of years. The constant changing of this tax leads to dislocation in retail prices, and it is to my mind eminently desirable that that should be avoided as far as possible.

“Sir, it is not my intention on the present occasion when we are dealing with the surplus in the Budget—whether that surplus be £1,000,000 or only £400,000—to go over the ground of moral or immoral budgetting, of finding a definition of taxpayer, or whether 3 or 4 per cent of the working balance can be easily dispensed with, or, again, whether the railway revenue is profits out of trade or indirect taxation, as I have repeatedly contended in this Council. These are points which may well be left alone on the present occasion. At a time like this it is desirable to avoid controversies and contentions as far as possible, and I do not therefore propose to go into those questions and occupy the time of the Council by any discussion about them. My only object on the present occasion is to appeal to the Hon’ble the Finance Member and the Government of India—knowing full well how keenly sympathetic the Finance Member is towards the interests of the poor—I appeal to him once again on behalf of those poor whether he should not be content on the present occasion with the surplus of £400,000 that he is going to get from other sources. As I said before, I am not satisfied that any justification exists for levying additional taxation in order to obtain an additional surplus. Well, Sir, a part of that surplus has already been obtained, and I now appeal to the Government to consider whether they will insist upon getting their full surplus of a million pounds, or, in the interests of the poor, be content with a surplus of only £400,000. Sir, with that appeal, I will conclude my observations.”

**The Hon’ble Mr. Surendra Nath Banerjee.**—“Sir, I have a Resolution, the first part of which is identical with the Resolution moved by my Hon’ble friend, Sir Ibrahim Rahimtoola. Sir, my submission is, that it would simplify matters if you would permit me either to move that Resolution or speak in support of this, and if I do speak in support of my friend’s Resolution, you will, I hope, relax somewhat the time-limit, which is 15 minutes.”

**The Hon’ble the Vice-President.**—“I think the latter course would be the most convenient for the Council and would save time; but I trust the Hon’ble Member will not abuse the relaxation of the rule which is permitted to him.”

**The Hon’ble Mr. Surendra Nath Banerjee:**—“Sir, I am sure the Resolution which has been moved by my Hon’ble friend and the Resolution which stands against my name must strongly appeal to the sympathies of my Hon’ble friend the Finance Minister, for his Budget, despite exceptions here and there—and the most notable of these exceptions is the enhanced duty on salt—is the poor man’s Budget, instinct with living sympathy for the poor man and his lot. Could I be persuaded that fresh taxation was necessary, I would give my wholehearted support to his proposals of taxation, save and except perhaps an item here and an item there and the proposed enhancement of the salt duty. But, Sir, my submission is that no case has been made out for fresh taxation, and if it was necessary to impose taxes for the purposes of raising money, it should be confined to the raising of the amount of the actual deficit. In that case the £600,000 which it is intended to obtain by the enhancement of the salt duty would automatically disappear. My position, therefore, is this—that taxation is unnecessary. And, Sir, I desire to consider for a moment the surpluses and the deficits for a period of 20 years extending from 1894 to 1914.

“During these 20 years we had 17 years of surpluses and 3 years of deficits. The surpluses came up to £40·9 million; the deficits of the three years came up to £8·4 million; and deducting the deficits from the surpluses we have

for a period of 20 years the huge surplus of £32·5 million. Nor is this all. This surplus does not include £1 million of the Famine Insurance Fund which is charged off the accounts. When famine occurs expenditure is incurred and is shown in the accounts. However that may be, there is the outstanding fact that in the course of 20 years extending from 1894 to 1914 the Government of India were able by their taxation to accumulate a surplus of £32½ million which they have rightly, as I think, applied to the reduction of the debt. And how does the debt stand to-day, or rather on the 31st March 1915? The permanent debt of the country is £1·5 million. The statement might seem to be surprising; it may even be viewed with an air of incredulity, but I am prepared to prove it. The total debt of the country on the 31st March, 1915, amounted to the sum of £276 million; the exact figure is £276·5 million. The debt contracted for the purposes of railway construction amounts to 233·2 million £. Debt for the purposes of irrigation amounts to £41·1 million. ·9 million £ represents Delhi construction. Therefore deducting these amounts from the total debt, we have the national debt reduced to the figure which I have just mentioned, *viz.*, £1·3 million. Sir, I am entitled to hold that these debts for railway and irrigation are in the nature of an investment, and they must not be regarded as part and parcel of the permanent national debt. In 1912-13 and in 1913-14, irrigation and railways gave us a clear income of £5·9 million after paying all working charges and interest. In 1914-15, despite the war, they gave us a profit of £3·1 million. I do not indeed overlook the fact that we have temporary debts, unfunded debts, such as Provident and Saving Banks deposits; but against these we have to bear in mind the advances which the Government of India have made to the Presidency Corporations, to Municipalities and District Boards, to Native States and to private landholders. Therefore, Sir, here we have this fact that our national debt at the present moment, barring the investments to which I have referred, stands at the ridiculously small figure of £1·3 million; and my submission is that, having regard to the abnormal situation in which we find ourselves at the present moment, the proper way to meet that situation would be by contracting a loan. My Hon'ble friend will probably say that you cannot get money at the present moment in the present condition of the market without a high rate of interest. Perfectly true. We may contract a temporary loan, renew it from time to time and merge it in a permanent loan in an improved market. And, Sir, there is another fact which has to be borne in mind, and which is very pertinent to the considerations I am now placing before this Council, namely, that the Government of India have always been exceedingly cautious in the framing of these estimates. A perusal of the Financial Statement will show that the actual surpluses have generally, if not always, exceeded the estimates, and the estimates of expenditure have generally, if not always, fallen short of the actuals. And the result has been that the huge surpluses of the Government of India have been kept down by doles to the Provincial Governments. My Hon'ble friend the Finance Minister, as a member of the Decentralisation Commission, remarked that these doles were wasteful and demoralising, but the Government of India have been indulging in the luxury of granting these doles, and at the same time having large accumulations of surpluses for themselves. I will give figures to show that we have been overtaxed in the past, and that we should not commit the same mistake again. Immediately after the taxation imposed by Sir Guy Fleetwood Wilson, I think in 1910, we find in 1911-12, £2 million given as doles to Provincial Governments, and in 1912-13, £3·7 million was given to the Provincial Governments. At the same time in 1911-12, the Imperial surplus was £3·9 million and in 1912, the Imperial surplus was £3·1 million; and the Provincial balances stood at the enormous figure of £7 million, the prescribed minimum being only £1 million. Therefore, it seems to me that we ought to avoid taxation by contracting a loan; and of course if that were done, the enhanced salt tax would disappear.

“ Sir, the Hon'ble the Finance Minister has made a statement in the course of which he gives the reasons for the imposition of the new taxes. It occurs

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at page 10 of the Financial Statement (paragraph 32). The statement is written with that brevity, conciseness and force which distinguish the utterances of Sir William Meyer. After having stated the difficulties experienced by the Secretary of State in raising loans in the English market, the Financial Statement says—

‘We have also to recollect that the termination of the war, when it comes, will leave us with heavy financial demands upon us. We shall still, in all probability, have a large amount of temporary debt to pay off, and must also prepare for the liquidation of the rupee loan raised this year, which has to be repaid by 1923. We shall likewise have to surrender nearly £2 million which we shall have received in connection with the liquidation of hostile firms and the employment of captured enemy vessels. On the revenue side again, we must recognise that the experiences and lessons of the war must also add in some directions to our permanent military charges; and, lastly, it is desirable that we should be in a position when peace returns, or as soon after as may be, to provide further funds for such beneficent purposes as the improvement of education and sanitation.’

“Sir, let us consider in seriatim the various points which have been urged by the Finance Minister. There is the debt contracted this year which has to be paid off in 1923. Sir, I venture to submit that 7 or 8 years are a long time to look forward to in the financial history of India. ‘Sufficient unto the day is the evil thereof’ is a maxim which administrators and even financiers may take note of. It is risky to take long views of things. The imagination comes into play, it distorts our vision and magnifies our difficulties. We have to pay off this debt in 1923, but we may raise a loan, it may be at an unfavourable market; but the market will not always remain unfavourable; the market will change, improve for the better. Renew the loan in a favourable market, merge it into the permanent loan, and in that way discharge the debt. And in the same way that £2 millions which have to be paid to the enemy may be dealt with. Then we are told that there are these great problems of sanitation and education which have to be faced and grappled with. I have the greatest sympathy with all the beneficent efforts which the Government may make in that direction; but these are more or less Provincial charges. Undoubtedly the Government of India supplies the money; but in any case the Provincial balances have reached the huge figure of £7 millions.

“Sir, my difficulty has been, and I speak as a Member of a Provincial Council, that we cannot get the Provincial Governments to disburse them. They are not always able to get ready their schemes for the purpose of spending the money, and the sanction of the Government of India has to be obtained. Therefore what I say is this, the market is bound to improve, our resources are elastic, and will grow and expand. Having regard to these facts and that the permanent debt is only 1·3 million pounds, we invite the Government to give up 90 lakhs by the surrender of this salt revenue. I venture to think that, as a question of ways and means, this may be found by reducing the closing balances of 1916-17; the closing balances of 1916-17 is estimated at 24·2 million pounds, the closing balance of 1915-16 according to the revised estimate is 23·8 million pounds.”

**The Hon'ble Sir William Meyer :—**“Where does the Hon'ble Member get these figures, I do not recognise them?”

**The Hon'ble Mr. Surendra Nath Banerjee :—**“I think they are correct; I have not got the books here, but I think they may be found to be correct. The surrender would reduce the closing figure to very much what it was last year. There is another point which I desire to submit for the consideration of the Hon'ble the Finance Minister, it is this; even before the increased tax was levied, the price of salt had been doubled, and that was due to the shortage of imported salt from Liverpool and the cessation of trade with the enemy countries. The effect of an enhanced tax would be to make the price more than double what it was. I would suggest that the Government should take palliative measures, measures which would afford facilities, for the manufacture of salt in this country. We had in Bengal large manufactories, in Orissa and in Midnapore

[*Mr. Surendra Nath Banerji; Pandit Madan Mohan Malaviya.*] [9TH MARCH, 1916.]

they have been given up; revive this industry which will put money into the pockets of the poor and into the coffers of the Government. I desire to associate myself with my Hon'ble friend's appeal that Government should reconsider the matter, and if it is impossible to give up the whole of the tax, at least to surrender one-half of it. This will be a *via media*, a reasonable compromise, if the Government should surrender 45 lakhs of rupees that would not make any material difference in the financial situation. With these words I support the motion."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, it would seem almost profitless to discuss this Resolution after we heard the remarks of the Hon'ble the Finance Member the other day on the amendment of the Hon'ble Mr. Dadabhoi. But the fact that, in spite of that discussion, two of my Hon'ble friends have thought it right to appeal strongly to Government to reconsider the situation, is evidence of the strong feeling that is entertained on the subject. I will not take up the time of the Council by repeating the arguments that have been used by my predecessors. I will invite the Government to look at the matter from another point of view. This year controversial questions are, by a wise ruling of His Excellency the President, to be avoided in this Council. The Budget proposals for additional taxation to the tune of £3,000,000 have been received by this Council, save with the exception now before us, with unanimity. Not only here but outside also, as is evidenced from the comments of the Press, the proposals put forward by the Hon'ble the Finance Member, excepting the one relating to salt, have met with general approval. Might I ask the Government, might I ask the Hon'ble the Finance Member, to look at the question from this point of view; at this time of pressure when other controversial subjects have been put aside, when even legislation pending before the war which was regarded as of a controversial nature has been put aside for the time, in order that controversies may not be heard in this Council, may I ask my Hon'ble friend to consider whether, in view of what has been said, and in deference to the opinions expressed in this Council and outside, he will not reconsider the matter and be content with a surplus of £400,000, which the taxation imposed has already secured to the Government. My Hon'ble friend is aware, and the Council is aware, that numerous comments have been made against the increase of the salt tax; that complaints that the salt tax should be enhanced are general. There may be here and there some man who might express his acquiescence in the proposal that that tax should be raised. There may be some blessed with plenty, who are not able to appreciate the fact that an increase of 4 annas in the salt duty will really press upon the poor. But when we take into account all that the poor have to pay and the general rise in prices, the proposed addition will not appear to be inconsiderable. I submit that, in view of the fact that the general public, including the poor, have through the additional import duties come in to pay their increased share of taxation, Government may be pleased to do without the enhanced duty on salt

"There is another aspect of the matter to which I will invite the attention of the Government of India and of the Hon'ble the Finance Member. In this Council it has been our complaint, and I am sorry to say that that complaint has been well founded, that never once are we able to bring about by our most unanimous, by our most earnest, by our most pathetic appeals, an alteration in the Budget proposals when they have been decided upon by the Government. We feel grateful that the Government invite us to take a part in discussing the financial affairs of the country.

"We have been contributing in our own way of time and of service to such discussion. But it seems hard, it seems unjust that non-official members who are called upon to vote on the Government proposals, and are expected to support them, should not be given the smallest opportunity of having a say in determining what taxation shall be imposed and what shall not be. I mean no disrespect to the Government and none to the Hon'ble the Finance Member,

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whose courtesy we acknowledge with pleasure; but the fact is that, when Budget proposals are considered, not one member of the non-official body is taken into confidence and asked to make suggestions or asked to express an opinion as to the propriety or otherwise of the various proposals which may be under the consideration of the Government. That places us, the non-official members, in a disadvantageous position. The unsatisfactory character of the existing arrangements is accentuated when it happens to be the case, as it is now, that we are able and willing to render our loyal, enthusiastic and firm support to the major part of the proposals contained in the Budget, but we feel strongly at the same time that some other proposals are open to grave objection. We feel that if we had an opportunity of discussing the matter with the Hon'ble Sir William Meyer before the proposals were announced possibly, probably, we might have been able to persuade him not to enhance the duty on salt, and to be content with the surplus of £400,000 which the taxation already agreed to would bring to him.

“ But finding ourselves in the position we are, I invite the Hon'ble the Finance Member, and I invite the Government of India, to initiate a new departure in this year of war, which also happens to be the last session of His Excellency the Viceroy's administration. Let there be this new departure initiated that, after proposals for taxation have been made public, after even a Notification has been issued, enhancing the duty on salt, the Government of India, in gracious deference to the public opinion expressed in this Council and outside it, withdraw that Notification and be content with the additional taxation that has been imposed. The adoption of such a course will not lead the Government into a false position, for there is no proposal at this moment before the Government to alter or amend the Indian Salt Act, and under the provisions of that Act, His Excellency the Governor General can, at any time, by a mere Notification, increase the duty on salt not only by four annas, but up to the extent of Rs 3 per maund. That is a power which few Governments possess, and that is a power the existence of which affords very strong support to the appeal which I make. It is not likely that the Budget, which has been carefully prepared under the direction of the Hon'ble the Finance Member and the Hon'ble the Finance Secretary—it is not at all likely, I say it is very improbable, that the Budget will be found to be overestimated so far as revenue is concerned. I agree with my friends who have spoken before me that the chances are that the Budget will be found to be, as many previous Budgets of India have been found to be in the last many years, over cautiously prepared, and that at the end of twelve months, we shall find that a much larger revenue has been derived from the various sources than has been estimated in the Budget. That being so, there is no reason to apprehend any embarrassment, I will not say disaster, for that is utterly out of the question, there is no reason to apprehend any financial embarrassment to the Government of India if the Government will be pleased, as I earnestly hope it will be graciously pleased, to accede to the prayer which has been made in the interests of the poorest of the poor.”

**The Hon'ble Sir William Meyer :—**“ Sir, I wish to acknowledge the very moderate and friendly spirit in which the Hon'ble Sir Ibrahim Rahimtoola has brought forward his Resolution. At the same time, I still think that to bring it forward at all was unnecessary, seeing that we had the matter out fully at the last sitting. It was perfectly legitimate for Sir Ibrahim to table his Resolution when he did, but in the meantime the wind had been taken out of his sails, so to speak, by my friend Mr. Dadabhoy who had brought up the question of the salt tax in the discussions we had at our last sitting on the Tariff Bill. Therefore, I say, it seems to me to be taking up the time of the Council to little purpose to revive a discussion which was carried out fully and seriously the day before yesterday.

“ My Hon'ble friend's main argument is, that it is undesirable that we should have an estimated surplus of one million pounds in 1916-17. The

[*Sir William Meyer; Mr. Surendra Nath Banerjee.*]

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enhancement of the salt tax is estimated to give us £600,000, and he argues that we can do quite well with £400,000. If I may say so, he has advanced in financial virtue, for at the last sitting he wanted to have no surplus at all, or even a deficit of £500,000. I hail this moral progress; and I hope that in the course of time the logic of facts will convince my Hon'ble friend that in the present state of things a surplus of one million pounds is not too much. I quite admit that, if in a time of peace we had, by reason of unfavourable financial circumstances, to increase taxation, we ought not to increase the taxation more than would be necessary to meet our expenditure estimates and leave a small margin. But, as I reminded the Council at the last sitting, the times are very different now. We are living in a period in which our revenue estimates may be badly dislocated, in which expenditure may go up to an extent which we cannot foresee at present. As I said on the last occasion, this year it was necessary that we should meet an unexpected increase in our military expenditure, and we were only saved from having a much bigger deficit than we anticipated by the quite unforeseen way in which the railway receipts came in. We cannot gamble on a recurrence of those favourable circumstances at a time like this, which has very peculiar anxieties, and which may produce unforeseen events. I should think that I was failing in my duty to Government and to the people if I were content to work on narrow margins. It must be remembered, too, that if our surplus should be less than we expect; if, indeed, as may quite possibly happen, the estimated surplus should disappear altogether, we cannot reasonably have recourse to the London market. We do not want to embarrass His Majesty's Government in obtaining all the money they can for the war by making demands in the home market for India,

"Then, my Hon'ble friend, observed, and two other speakers I think argued, that the small addition of four annas a maund to the salt tax was undesirable as leading to a dislocation of retail prices. My Hon'ble friend, I think being a man of wide ideas, if he did increase the salt tax at all, would like to raise it a good deal more than four annas. Well, I am content with small things, I think myself that a four-anna increase, while it brings an appreciable revenue to Government, a revenue which we cannot safely forego in these times, will not hit the poor very much: to a certain extent no doubt, but not to the full extent that the small increase of duty might in itself warrant. I think, it is not unlikely, that a part of the extra tax will be paid by the trade, the wholesale dealers, and to a certain extent, possibly, the retailers too.

"I have had naturally—the Finance Minister in every country does, I suppose—a variety of communications in regard to this Budget, and I was very pleased to find that two very eminent Indian economists hold the same view as I do, and think that this taxation will not inflict any material hardship on the poor.

"The Hon'ble Mr. Banerjee, having, unfortunately for us, been absent from the last sitting, proceeded to retail a number of statistics which Sir Ibrahim Rahimtoola had already made play with the day before yesterday. I will not go into these matters again. My friend, I believe, is a careful student of the works of Dickens, and when he was speaking, I recalled to myself the immortal Mr. Micawber. My friend professed to object only to the salt tax, but it was clear as he warmed to his subject that he objected to any taxation at all, so long as he could borrow. 'Let us borrow', he says; 'it is true that some day or other the loan may come in and the creditor may demand payment, well let us then borrow again at a higher rate of interest'. That is Micawber finance, but it is hardly suitable, I think, for the serious—"

**The Hon'ble Mr. Surendra Nath Banerjee:**—"I said, Sir, our credit would improve and we should be borrowing at a lower rate of interest in an improved market."

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[ *Sir William Meyer.* ]

**The Hon'ble Sir William Meyer:—**“ Mr. Micawber always thought that ‘something was going to turn up,’ and so does my friend. I do not share his views. As I said at the last sitting, the Budget is already, perforce, a gamble on rain and a gamble on railways, but I am not going to make it a gamble on something going to turn up.

“ My Hon'ble friend also made a very interesting statement as to the Provincial balances. He says the Provincial balances are inordinately swollen. I rubbed my eyes because I find that he has got two Resolutions down on the present day's agenda inviting extra grants from the depleted Imperial treasury to his own province of Bengal. I take it that these Resolutions were tabled in a fit of absence of mind, and that my Hon'ble friend, having now studied the state of the Provincial balances, will promptly withdraw them.

“ I took him up while he was speaking in regard to our closing balances. I think he took the figures from an abstract statement, which includes moneys which belonged to the Gold Standard Reserve and other funds. The actual closing balances which the Government of India have ordinary control over and the character of which I explained at the last sitting will be, as far as I can now estimate, £17,700,000 in India and England together on the 31st of March and £17,400,000 at the end of 1916-17.

“ The Hon'ble Pandit has asked us to avoid controversy and to yield to the ‘unanimous wish’ of the non-official members of Council. Well, I cannot find that there is any such unanimous wish, because at the last sitting two of the non-official members of Council, my friend Mr. Das and my friend Mr. Shafi said that they approved of the salt tax in present circumstances. I rather think, too, that the Hon'ble Sir Fazulbhoy Currimbhoy said the same. Therefore, there was no unanimity among the non-official members of Council. Then, he says, drop the salt tax in order to avoid controversy. Well I am afraid we cannot import that axiom of avoiding controversy into financial affairs, because it would be so easy for anybody to say that he objected to a tax and that it would lead to acute controversy to proceed with it, and then we should have to drop it. The salt tax has no doubt been disapproved in some quarters; while in other quarters it is regarded as necessary. But similarly, in some quarters the increase of income-tax is not looked on entirely with happiness. Are we to drop that because it will raise controversy? One Calcutta newspaper, I think, objected to the Budget lock, stock and barrel. Is the whole Budget therefore to be scrapped? I am sure my Hon'ble friend will see that we cannot adopt this axiom of dropping taxation which, after very careful consideration, we thought to be necessary, merely to obtain unanimity.

“ Then he speaks of the desirability of consulting non-official opinion before framing budget proposals. It is always open to any non-official member of this Council or any non-official member of the public, to put his views before me as to what taxes might or might not expediently be imposed. Certain members of this Council did so before the Budget was framed, or while it was under consideration. I was very glad to have their views; but to go further than this, to admit the non-official members to a share in the framing of the Budget would be going far beyond what the Chancellor of the Exchequer does at home. He tries to frame a Budget that will be in consonance with the opinions of his party and the country; but he certainly does not take independent members into counsel as to the details of his scheme, nor does he modify his Budget in principle when he has once tabled it. If a Government at home is defeated on an important Budget proposal, it resigns. So that I think my Hon'ble friend is looking to a Utopian state of things that does not prevail even in the classic land of Liberty and Parliaments.

“ There is only one more point I need notice, and that is the argument that we might go on with a modest surplus of £400,000, and that if things go wrong, we could use the executive power we have got to raise the salt tax. As I said at the last sitting, I deprecate doing that except in the last resort. We know how uncertainties affect trade, and to my mind such alterations in prices as have taken place in salt are largely due to speculation with reference

[*Sir William Meyer ; Sir Ibrahim Rahimtoola.*] [9TH MARCH, 1916.]

to Budget proposals, to withdrawal of stocks or to holding them up and so forth I should be very sorry indeed to look forward to a state of things in which the trade would remain in this state of uncertainty, with people scanning the railway returns, the land-revenue returns, and the various signs by which they think they can read the financial position of the Government of India looking out for this information, and then having gossip in the bazaar as to whether the salt tax is to be raised or is not to be raised. That would hurt the people in the long run far more than the definite and small increase of a small amount which we have now proposed and to which we think it our duty to adhere.

"I hope my Hon'ble friend the Mover, having regard to my speech and his desire to avoid needless controversy, will now withdraw his Resolution. If he cannot see his way to do so, I can only oppose it."

**The Hon'ble Sir Ibrahim Rahimtoola :—**"Sir, I had hoped that the manner in which I placed my Resolution before the Council would have some restraining effect upon the great fund of humour which the Hon'ble Finance Member undoubtedly possesses. Whether the humour brought forward to-day so far as my remarks are concerned is good, bad or indifferent, I will not trouble the Council with discussing, but I will say this, that if his desire was that no further time should be spent in the discussion of this subject, he might have abstained from covering points which provoke a retort. Sir, I was told in that great humorous way that I am making rapid and substantial moral progress in my ideas of economics and finance. Sir, I have been a humble student of these subjects for close upon a quarter of a century, and I will candidly confess that I am obliged to revise various ideas which I had formed from that study by sitting at the feet of so great and overwhelming a master of economics and finance as our esteemed Finance Member is.

"Sir, for the first time I have learned that the Chinaman in buying our opium is the taxpayer, and not the Indian producer or the cultivator of poppy. I have further learned that when you have a substantial balance and overwhelming reasons in other directions, that it is immoral to state that a Budget with a small deficit caused by the attitude of Government themselves is an immoral Budget. I am also beginning to learn that though Government have a monopoly of railways and regulate the minima and maxima rates, that that revenue is not indirect taxation but is profits on business transactions made owing to Government holding a monopoly, and that Government can by regulating rates bring about results in the matter of railway revenue yielding what I have now learnt to call enormous profits to the State. Sir, these are all the lessons that I am repeatedly learning, and I daresay that, within a short time hereafter, I shall have revised all the lessons I have learned in the past, sitting at the feet of the great master, as I have already stated.

"Sir, I wish it to be clearly understood that I am not opposing the Budget, I am not objecting to Government having a surplus of one million pounds. Sir, the time I have taken in explaining my position to the Council is sufficiently warranted because of the misapprehension which the remark of the Hon'ble Member leads me to believe he is labouring under, namely, that I object to a surplus in the Budget of one million pounds. I do not object to this surplus. I say that no one will be better pleased than myself to have a larger surplus in the Budget at a time like this. What I do object to, and object to most strongly, is that additional taxation should be specifically imposed to obtain a surplus. Sir, I cannot make my meaning clearer than I have tried to do and am trying to do. I say it is absolutely wrong in principle—of course I mean the principle as I have learnt to understand it better, not the principle that I am now revising. The principle that I learnt was that it is wrong to impose additional taxation in order to enable Government to have a surplus, especially in view of the fact that there are absolutely strong, undisputed safeguards in the great financial strength of the Government of

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India which I tried to indicate by a great number of statistics and facts which I placed before the Council on the last occasion. Sir, I do not object to a surplus, I would be pleased to have a surplus; but I most strongly object to additional taxation for that purpose, especially when it is imposed on the poor and that it should be levied in order that a surplus of 60 lakhs of rupees should be converted into a crore and a half. That is the point.

“Then, Sir, I was told that it was unnecessary, in view of the previous discussion, to have moved this Resolution. Sir, I regard it not only as not unnecessary but, consistently with my duty, as essentially necessary on the present occasion to move it. In speaking on the Hon’ble Mr. Dadabhoy’s motion on the 7th instant, I clearly pointed out that that was not an opportune time to raise the question of the salt tax, because the Tariff Act and the Income-tax Act had not been settled. This most appropriate case for which I am representing is overwhelmingly strong now, because a surplus of £400,000 has been absolutely secured. If that is so, I ask whether there is any justification for imposing a tax on the poor and obtaining £600,000 more for adding to and swelling the surplus.

“Sir, it was only during one of the years to which I referred the other day that the Budget estimates of the Government of India opened with a surplus of less than £400,000. If the then Finance Member—I think it was Sir Guy Fleetwood Wilson—was content to open his Budget statements for the next year with a surplus of less than £400,000, I should like to know why the same thing should not occur again to-day. Sir, the Hon’ble Member charged me with playing with figures. I think I might retaliate and say that he was playing with my arguments when it was urged that I objected to a four-anna increase in the salt tax, and that it should be considerably more. I never did anything of the kind. I said that in view of the fact that the salt tax was a reserve, and that a dislocation would be caused to retail prices by a sudden increase or decrease in an article like this, it was all the more necessary to exercise great caution and discrimination in frequently raising or reducing a tax of this description. A tax of this description should be raised on only such justification as would, in looking forward to the future, lead one reasonably to expect that that tax will be maintained at a given standard. Any frequent increase or decrease is objectionable, because it takes a long time, when the reduction comes, to reach the small consumer. It is for that reason, Sir, and stating again the principles that I have learned, that I say that any tax like this with constant variations ought to be avoided. If there had been a case for this increase, if the money was needed for expenditure estimated for by the Hon’ble the Finance Member, I would have warmly supported it. I am not opposed to this tax in principle; I have said that repeatedly. I repeat that I would have been quite willing to agree to it if there had been any justification for it. I submit that there is no justification for it. I therefore submit that this and this alone is the proper time, when a surplus is absolutely assured, to urge upon Government that this additional taxation should not be levied. And if I have thought proper to bring it forward at this stage, it is because it is an appropriate opportunity for so doing.

“In conclusion, I again ask, in spite of what the Hon’ble Member has suggested, that my appeal on behalf of the poorer classes will lead to its consideration by the Government of India. Whatever may be the fate of my Resolution, I trust that, in view of the pathetic appeal made by the Hon’ble Pandit Madan Mohan Malaviya, the Government, in a meeting of their Executive Council, will very carefully and dispassionately consider the reasons which we have urged against this increase to the salt tax, and that they will, just as by an executive order they imposed an additional duty, also do away with it by an executive order.

“Sir, feeling as I do in the matter of levying fresh taxation for a surplus, I do not propose to withdraw this Resolution.”

The motion was put and rejected.

[*Mr. Surendra Nath Banerjee.*]

[9TH MARCH, 1916.]

**RESOLUTION *RE* INCREASE OF THE PROVINCIAL  
GRANT FOR ANTI-MALARIAL OPERATIONS.**

**The Hon'ble Mr. Surendra Nath Banerjee:—**"Sir, I have the honour to move the following Resolution :—

'That this Council recommends to the Governor General in Council that the grant to the Province of Bengal be increased by six lakhs or such other suitable sum as may be deemed necessary for carrying on anti-malarial operations in selected areas.'

"Sir, this is a necessary corollary to the Resolution which I had the honour to move in this Council in February last, and which the Government graciously accepted. I moved that the Government would be pleased to issue instructions to Local Governments to take vigorous measures for the prevention of malaria. The Government of India, in accepting that Resolution, issued prompt instructions in accordance with its terms. But, Sir, the adoption of vigorous measures necessarily implies the expenditure of money for the purpose. Questions of administration after all, when analysed, resolve themselves into questions of finance, and none in a greater measure than the question of the prevention of malaria. The American Government spent a mint of money in reclaiming the tract of land about the Panama Canal. I cannot indeed invite the Government of India, in the present circumstances, to emulate the generosity of the American Government, but something has to be done. Government cannot sit still when people are dying in their thousands and tens of thousands through a preventible cause, and when the Government has instructed subordinate administrations to take vigorous measures for the removal of that cause.

"The chief obstacle in this, as in many other measures, is money. We want large sums of money for anti-malarial operations, and I will quote the authority of Dr. Bentley, the Sanitary Commissioner to the Government of Bengal, in this respect. This is what he says in his report on antimalarial operations in the Dinajpur district—

'The chief obstacle is the inability of the country at the present time to meet the enormous expenditure required for carrying out the measures with the necessary completeness in places which are not favourable for such work.'

"We take it therefore that where the circumstances are less unfavourable an enormous expenditure of money might be avoided. Some money however has to be spent if prompt measures are to be taken for the prevention of malaria; and, Sir, I will say this that the public funds could not be applied to a more useful or a more righteous purpose than the saving of human life and the alleviation of human suffering. Measures for the public health constitute the first charge upon the public funds. That, I take it, is the fundamental creed of all civilised Governments. Expenditure in other directions might be curtailed, but not in a supreme question like this affecting the life and the happiness of millions of people. And, Sir, I make a very moderate demand. All that I want is six lakhs of rupees to be applied to anti-malarial purposes in selected areas. Our efforts in the past have been spasmodic, without system, and therefore futile. What I would recommend is, that a definite plan of campaign should be organised, applicable to a particular area and carried out in a thorough and business-like manner. The proper thing to do would be to take up two or three districts where malaria is most prevalent and where the circumstances that conduce to the success of anti-malarial operations, are more or less well-known to the authorities. I have in my mind three districts: the district of Burdwan, the district of Murshidabad, (from which my two Hon'ble friends here come), and the district of Nuddea. Malaria has decimated these districts. My Hon'ble friends can testify to that fact. The birth-rate has decreased and the death-rate has increased. The country is full of wild jungle. I think these districts ought to be taken up, and the knowledge that would be acquired by the application of a particular method to a particular area would be useful in anti-malarial operations elsewhere.

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“I know the difficulties of the Government; the finances press; but the question is one of supreme importance. I hope and trust that no technical grounds will be permitted to interfere with the acceptance of this Resolution by the Government. Various arguments against it may be adduced. I might be told ‘go and apply to your own Government about this matter.’ Further, I might be told ‘you are a friend of provincial autonomy: this is inconsistent with the principles of provincial autonomy.’ I think we ought to brush aside all these technicalities in view of the supreme need that exists in Bengal and elsewhere for the prevention of malaria. I hope and trust that my Hon’ble friends, when replying to this motion, will not take their stand on these grounds, but will deal with the question in the broad spirit of liberal statesmanship which ought to distinguish the Government of India in approaching a question of life and death affecting the happiness of millions of my countrymen. For these reasons, I beg to lay this Resolution before the Council.”

**The Hon’ble Sir C. Sankaran Nair:—**“I oppose this proposition. My Hon’ble friend wants the Government of India to grant to the Province of Bengal a certain sum of money. But the Government of Bengal have not asked us for anything. They have not told us that they are going to take any anti-malarial measures for which they want money. If they have anything in contemplation, they have not told us what those measures are likely to cost. Without knowing all that, it is almost impossible for us to say whether we should grant any money, and what amount we should grant. The Resolution, on the face of it, seems premature.

“My Hon’ble friend is a member of the local Legislative Council. All the arguments that he put forward here should be addressed to the Government of Bengal in order to persuade them to put forward anti-malarial measures for the consideration of the Government of India, and to ask us for any money if they might want it. It has to be remembered that the Government of Bengal have also got a large balance, though they cannot now draw upon it except under special conditions. While, therefore, that is the state of things, and while we have to meet a heavy deficit by fresh taxation, it is out of the question to make such an anticipatory grant as my Hon’ble friend suggests. I have therefore to oppose this Resolution.”

**The Hon’ble Mr. Surendra Nath Banerjee:—**“I take it, Sir, from the observations which have fallen from my Hon’ble friend, the Member in charge of the Department, that he is in sympathy with the main objects of this Resolution. His objection is to the *modus operandi* which I have thought fit to follow in this case. My Hon’ble friend says that the Government of Bengal has not asked for any money, and that he does not know what the intentions of the Government of Bengal are in regard to this matter. Well now, suppose the Government of Bengal were to ask for some money, would the Hon’ble Member be prepared to give it?”

**The Hon’ble Sir C. Sankaran Nair:—**“That matter would be considered on its merits.”

**The Hon’ble Mr. Surendra Nath Banerjee:—**“I am very pleased to hear it. The difficulty of the situation is that the Government of Bengal cannot spend their money, as my Hon’ble friend has just pointed out. They have been instructed not to spend any Imperial grant without the previous sanction of the Government of India. I am not permitted to disclose the secrets of my prison-house, and I certainly am not going to do so in the presence of an official of the Bengal Government sitting here. But, as a matter of fact, I know—I may say so without revealing any secrets at all—that the Government of Bengal is most anxious to start anti-malarial operations. I believe they are willing to start those operations in connection with two or three districts; but the money is wanting, and I am glad to have the assurance

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of my Hon'ble friend opposite that if the Government of Bengal were to ask for money, and if they were to communicate to him their schemes in regard to anti-malarial operations, he would consider, and I take it favourably consider, them and sanction the expenditure. May I have that assurance?"

**The Hon'ble Sir C. Sankaran Nair :—**" I did not say all that."

**The Hon'ble Mr. Surendra Nath Banerjee :—**" No, but I want an assurance from the Hon'ble Member I take it from the silence of my Hon'ble friend that he is inclined to accept this view of the matter. Under those circumstances, I withdraw my Resolution."

The Resolution was by permission withdrawn.

**RESOLUTION *RE* INCREASE OF THE PROVINCIAL GRANT FOR THE EQUIPMENT OF THE CALCUTTA UNIVERSITY COLLEGE OF SCIENCE.**

**The Hon'ble Mr. Surendra Nath Banerjee :—**" Sir, I have the honour to move the following Resolution —

'That the grant to the Province of Bengal be increased by three lakhs for meeting the cost of equipping the Calcutta University College of Science.'

"Sir, the Calcutta University College of Science owes its birth to the philanthropy of two distinguished men, two of the most illustrious Bengalis of the present generation, the late Sir Tarakanath Palit and Sir Rash Behari Ghose. Their benefactions in this connection have shed a lustre upon their province, and I have no doubt will stimulate philanthropic efforts among our countrymen in all parts of India. Sir Tarakanath Palit gave away the whole of his fortune—his princely fortune—of 15 lakhs of rupees, built up by himself, for he was not born with a golden spoon in his mouth, for the spread of higher scientific education in Bengal. Sir Rash Behari Ghose followed his example by making a gift of 10 lakhs of rupees. I believe that the nation is the heir to what remains of the fortune of Sir Rash Behari Ghose and what he may still accumulate by his earnings. The proceeds of Sir T. Palit's endowment are to be applied to the creation of two chairs, one of Chemistry and the other of Physics in the new College of Science and of a number of research scholarships. The proceeds of the endowment of Sir Rash Behari Ghose are to be applied to the founding of four chairs of Botany, Applied Mathematics, Physics and Chemistry, and eight research scholarships. The University of Calcutta, on receipt of this grant, proceeded to construct a building for the College out of its own funds at a cost of 3 lakhs. The building is now nearly complete. In December, 1912, the University of Calcutta applied to the Government of India for a non-recurring grant of 15 lakhs of rupees, with a full statement of the endowment and of the responsibility which the endowment imposed upon the University. In October 1913, the University of Calcutta again approached the Government with an application for a recurring grant of Rs 84,000 a year, so that the College of Science may be in a position to commence its full career of work and open the departments of Botany, Zoology, Physics, Chemistry and Applied Mathematics. The Government replied saying that it was impossible to make a grant at that time, but that the question would be considered. In June, 1915, the University of Calcutta laid an exhaustive statement of its financial position before the Government, and also a scheme for organising the College of Science upon a satisfactory footing.

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COLLEGE OF SCIENCE

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The University pointed out that the arrangements made in Bengal for the spread of higher scientific education were inadequate. The Presidency College had M.A. classes which taught only Physics and Chemistry. The Dacca College had M. A. classes only in Chemistry. They also observed that the College of Science would be an institute for research, and that the professors would be in a position to carry on research work unburdened from the exacting duties of their routine professorial work in College. In July 1915, the University out of its own funds made a small grant of Rs. 15,000, and partially fitted up the laboratory of the College. M. Sc. classes were opened with 8 students. Sir, this is the work that has been done by private philanthropy aided by the resources of the University, and I appeal to the Government to come forward with adequate funds for the purpose of placing the College of Science upon a satisfactory footing. I have got a statement to show the actual needs of the College at the present moment. It is a statement which has been drawn up by an expert acquainted with all the facts of the case. He says that a sum of 3½ lakhs of rupees would be required as a non-recurring expenditure; the detailed items being as follows :—

Rs. 75,000 for the physical laboratory ;  
Rs. 75,000 for the chemical laboratory ;  
Rs. 75,000 for the biological laboratory,  
Rs. 10,000 for the experimental psychological laboratory,  
Rs. 25,000 for the workshop,  
Rs. 50,000 for the library,

and Rs. 40,000 for the completion of the building, fencing, etc., making altogether Rs. 3½ lakhs. My Resolution recommends a grant of only Rs. 3 lakhs. These items might be revised or the grant for the library might for the present be suspended. I do hope that Government will come to the help of this institution. The Government of India have always been the generous patron of learning. During the Viceroyalty of His Excellency Lord Hardinge scientific education has received a stimulus all its own. Our great scientist, Doctor J. C. Bose, has been furnished with ample funds through the beneficence of the Government, so that he may carry on those researches which have extended the bounds of human knowledge, and have shed lustre upon the Indian name. Sir, I think it is right and proper that this College of Science, which owes its origin to the philanthropy of two distinguished Indian gentlemen, and in which the University of Calcutta has taken such a keen interest, should receive the generous and practical support of the Government of India. With these observations, I beg to move this Resolution."

**The Hon'ble Sir C. Sankaran Nair.**—"Sir, I have to oppose this Resolution for reasons very similar to those which I advanced in opposition to the last Resolution. I am not concerned now either to accept or to deny the various facts or arguments which have been put forward by my Hon'ble friend. I shall only say for the present that there is no application either by the University or by the Government of Bengal pending before the Government of India for any grant of money. My friend knows a good deal about the facts and about the correspondence that passed between the Government of India and the University or the Government of Bengal; but he is apparently not informed of a fact which is subsequent to all that he has referred to, and that is, that we have asked for certain information in October 1915, information which we have not yet obtained. We shall consider the request when made by the Government of Bengal on its own merits. We may then reject the application *in toto*, or we may see reasons to grant it either in whole or in part. About that I can for the present make no promise. But it has also to be noticed as I said

**RESOLUTION *RE* INCREASE OF THE PROVINCIAL GRANT  
FOR THE EQUIPMENT OF THE CALCUTTA UNIVERSITY  
COLLEGE OF SCIENCE; FINANCIAL STATEMENT.**

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before that the Government of Bengal have got their own large balance, though it might be true that they are not entitled to draw upon it except under special circumstances. In these circumstances at this stage the Government of India, when they have to meet a deficit by taxation, do not see their way to make any promise or to make any grant."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"Sir, it is news to me that the University has not applied; but as a matter of fact from the statement which I have just placed before the Council it will have been seen that the University applied more than once, in 1912 for a non-recurring grant of 15 lakhs and again in 1913 for a recurring grant of Rs. 84,000 annually, for the Science College, and the Government of India said in reply to one of these requests that the matter would be considered, as at that time funds were not available. Therefore, although the University might not have made a recent application, the fact remains that, since the foundation of the college, the University has again and again been coming to the Government of India for grants. I shall certainly ask the University authorities to make a further application in this connection in accordance with the suggestion which has just been thrown out by the Hon'ble Member.

"If the University is able to make out that a grant is necessary in order that the College may be placed on a satisfactory footing, I hope the money will be forthcoming. I hope my Hon'ble friend is able to give us that assurance, not a promise, I do not ask for a promise, but for an assurance, a sympathetic assurance of a benevolent attitude in regard to the College of Science. Unless the money is forthcoming, I am afraid the College cannot carry out its work satisfactorily; Rs. 25,00,000 are practically locked up, the University building is not finished, the laboratory is not what it should be, there is no library—all these are essential conditions for the successful working of the College of Science. Unless the Government of India comes to our help, I am afraid it will not be possible to fulfil the high objects which the illustrious donors had in view, and which inspired their generosity. I hope when a scheme has been made out and is supported by the Government of Bengal, my Hon'ble friend will see his way to issue instructions for unlocking the funds of the Government for this purpose. I beg to withdraw the Resolution."

The Resolution was by permission withdrawn.

## FINANCIAL STATEMENT.

### SECOND STAGE.

**The Hon'ble Mr. C. H. A. Hill** opened the second stage of the discussion on, and introduced the following heads of, the Financial Statement for 1916-17:—

<i>Revenue.</i>	<i>Expenditure.</i>
Land Revenue.	Land Revenue.
Provincial Rates.	Provincial Rates.
Forest.	Forest.
Scientific and other Minor Departments.	Scientific and other Minor Departments.
Irrigation.	Famine Relief.
Civil Works.	Protective Works, Irrigation.
	Irrigation.
	Civil Works.
	Capital outlay on Irrigation.

He said:—"I now beg to introduce the heads of Revenue and Expenditure standing against my name. The subjects of Land Revenue and Famine Relief have been so fully set forth in the Financial Statement that I have nothing to add regarding them. As has already been explained by the Hon'ble the Finance

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Member, expenditure has had to be so rigorously curtailed, both during the current and in budgeting for the coming year, whether on Agriculture or Forests, that there is, perhaps, less to explain than usual this year. I may observe, however, that this fact has not prevented Government from endeavouring in connection, specially with Agriculture, to pave the way for the time when funds will again be available for well-devised expenditure. We are, in fact, utilising the time during which expenditure must be restricted, by preparatory and experimental work, as will appear a little further on.

“In regard to Forests, the revenue which is almost entirely provincial, has continued, as was the case last year, to suffer from the prevalence of war, but we have been able to provide, from Imperial revenue, funds for the services of a Tannin expert, who has been engaged for two years, to investigate and report on the feasibility of promoting the industry on a large scale hereafter. The appointment of Forest Engineer, which was sanctioned for two years in 1913, has been extended for a further period of three years, and the Engineer is now employed in the United Provinces. In Bombay and the United Provinces, a Chief Conservator has been sanctioned, while a large increase of the controlling staff in the United Provinces, involving the addition of 10 Imperial officers, 2 Deputy Conservators, and 16 Extra Assistant Conservators, has also been sanctioned. The reorganisation of the controlling staff sanctioned for Assam will have to be deferred until Budget provision can be made.

“As instancing the work of preparation which is going on in anticipation of the recurrence of more favourable financial conditions, I may mention that three important Conferences connected with Agriculture have been held during the current year. The first of these was the Inter-Provincial Jute Conference, held in Calcutta in August, 1915, the recommendations of which are now under the consideration of Government in consultation with the Local Governments concerned. It is hoped that, in due course, good results will ensue from the deliberations which then took place. The second Conference was the one recently held to discuss the subject of Agricultural Education, just before the meeting of the Agricultural Board at Pusa last month. Considerable interest has recently been displayed in various quarters on the subject of agricultural education generally, and, as there seemed to be a certain amount of confusion of thought on the subject, it was considered desirable to convene representatives from most of the provinces to discuss the subject, mainly from the Agricultural standpoint. Government are still awaiting the report of the proceedings of the Conference, and it would, of course, be premature to say anything committal on the subject at the present moment. It may, however, be useful to those interested in the matter if I mention that the Conference, in the course of its proceedings, took into consideration a good deal of literature on the subject from America and from elsewhere, and approached it primarily from the point of view of the promotion of improved agricultural methods throughout the country and a consequential advance in its economic resources. In view of what has already appeared in the Press, it will also be permissible to remark that the Conference came to the general conclusion that the direct teaching of Agriculture in the ordinary schools of India was impracticable, although it was desirable, so far as possible, to adapt the text books of rural schools to the ordinary surroundings and occupations of the pupils. In regard to the direct teaching of Agriculture, the Conference was very favourably impressed with the results achieved in the course of the experimental vernacular schools for Agriculture in the Bombay Presidency, and suggested that the question of extending these should be considered.

“The third important Conference was the ordinary periodic meeting of the Board of Agriculture at Pusa. There, one of the most important matters discussed was a paper, prepared by the Agricultural Adviser, outlining a scheme for improving the cattle of India from the dairying point of view, and the Board, in considering this paper, also discussed at some length the question of measures for the improvement of the breeds of plough cattle also. The importance of this subject cannot be overstated in its relation to the general Agricultural resources of the country.

“Another matter of importance to India, which is receiving attention, is the possibility of reviving the indigenous silk industry. For this purpose, we have obtained the services for one year of Mr. Maxwell-Lefroy, who had done eminent service in research work as Imperial Entomologist at Pusa. Mr. Maxwell-Lefroy is at present touring through India on his mission, and we hope to receive his report before the close of the current calendar year.

“Not the least important subject which is receiving special attention at the present time is the possibility of reviving the natural indigo trade. As Hon'ble Members are aware, German manufacturers have succeeded in producing, by chemical processes, a paste of uniform composition admirably suited to the needs of dyers all over the world. The problem that presents itself to India is, in the first place, how to improve the cultivation of indigo in such a way as to increase the output of Indican in the natural plant, and, secondly, how to standardise the product, so that it shall be able to compete in the matter of convenience as well as economy with the synthetic article. The question of appointing an expert chemist to study the matter from the point of view of the manufacture of the natural produce is at present under consideration. It is, however, recognised that no permanent advantage can accrue from an attempt to resuscitate this industry unless it is found possible to establish it on a permanent basis after the war is over. It is essential, if this end is to be attained, that planters should make some arrangement to bulk their products and to adopt some form of co-operation both in manufacture and marketing. Government have indicated their preparedness to help planters with the expert advice of the chemist, provided they receive the assurance that the planters on their part will co-operate and assist Government in the matter. Without their help and without having reached an understanding that they will spare no endeavour so to prepare their product as to be able to compete, in convenience and quality, with the synthetic paste, it would be futile for Government to undertake the investigation into the possibility of bringing this about.

“Apart from these special investigations, which have for their object permanent improvements after the war is over, the general work of agricultural research is making steady and very satisfactory progress, and the results promise to be very far-reaching. Hon'ble Members are probably aware—at least those of them who are interested in Agriculture—that research work in Pusa has already resulted in the selection of more than one new variety of wheat which have been found to give a larger and better milling yield than the local varieties. One in particular, known as Pusa No. 12, promises to give results which will be of the greatest possible value in promoting the betterment of the economic condition of agriculturists over a large area in India. We hope in process of time to establish a regular grade for this wheat in the English market, and to secure for the farmer higher prices than are paid for the ordinary Indian wheats. A small provision was included in the Budget for the current year for this purpose, and a similar sum is being repeated in the Budget for 1916-17. Investigation into the varieties of cotton, sugar-cane, and so forth, is also being pushed on at Pusa, Coimbatore, and elsewhere, and I think I may say that, within the limits of an all too small establishment, the work not only at Pusa, but in the provincial agricultural institutions, is now proceeding on well-considered and more hopeful lines. The administration of the results of research, whether conducted in the laboratories at Pusa or in the laboratories of Local Governments, is entrusted of course to the Governments of the provinces interested, and I do not propose to say more on this head.

“At the present moment, it is not only finance which hampers the development of the Provincial Departments of Agriculture, but also the difficulty of procuring suitable officers. The large scheme of reorganisation which has been sanctioned for the Madras Presidency will have to be brought into operation very gradually and the additional expenditure involved, which amounts to about 2½ lakhs a year, cannot be incurred immediately. Additional posts of Deputy or Assistant Directors, which have been sanctioned for Burma, Assam,

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the Central Provinces, and the Andamans, have not yet been filled owing to the continuance of the war.

"Before concluding my remarks on the subject of Agriculture, I think I ought to advert to the fact that the Department will shortly be losing the services of Mr. Coventry, who has been connected with it since its inception, and has for 12 years now performed with energy and success the important duties of Director of the Agricultural Research Institute, and for the past four years has combined these duties with the work of Agricultural Adviser to the Government of India. Mr. Coventry's services will not, however, be lost to India, as he is taking up another appointment connected with Agriculture in Central India, and we shall hope to continue to benefit by his valuable experience.

"Of the Departments classed as 'Scientific' and 'Miscellaneous,' I need only refer to the Survey Department, whose work has been restricted by the reversion of a number of Imperial officers to military duty and by the employment of many provincial officers on military work. The curtailment of programmes of field work has been inevitable, but the Department has managed to keep up its scientific investigation, and the results of its observations with the plumb line, which were recently explained by Sir Sidney Burrard in his interesting lecture at Lucknow, promise to make an important addition to our knowledge of the earth's crust. The mapping offices have had to meet large demands for the supply of new maps for military purposes, and I believe that these offices have fully risen to the occasion. Maps have also been published of nearly the whole frontier between Turkey and Persia as a result of the labours of the detachment under Colonel Ryder, which accompanied the Commission to that frontier. Computations are now being made at Dehra Dun of the valuable observations taken by Major Wood when accompanying Cavaliere Filippo de Filippi's expedition to Karakoram, and the Survey Department has recently published a most interesting account of a remarkable achievement in linking up the triangulations of India with those of Russia. It may be doubted whether the labour involved in such achievements is generally appreciated. But in the last named instance, it has been emphasised by the sad loss which the Department sustained in the death of Lieutenant Bell of the Royal Engineers.

"The Meteorological Department has recently arranged for the distribution of information regarding the weather by broadcast wireless messages from various Indian ports. Such information should be of great value to ships in the Bay of Bengal and on the Arabian Sea.

"The important subject of Co-operative Credit Societies has recently been exhaustively examined by a strong committee under the presidency of the Hon'ble Sir Edward Maclagan. As many of the questions—and they were very numerous—raised by that Committee are still under consideration, I do not propose to go into them to-day, but I think it will be agreed that the manner in which Co-operative Credit Societies have withstood the severe shock to credit caused by the outbreak of war the year before last, is admirable evidence of their stability; and justifies the hope that the co-operative movement has, despite some possible failings, now been established upon a thoroughly sound basis.

"I have mentioned the loss which the Agricultural Department is sustaining in the retirement of its head, Mr. Coventry, and I should like here also to express our acknowledgment for his good work to Mr. Mercer, who, for the past 8 years, has presided over the Forest Research Institute and College at Dehra Dun. That Institution, within its own sphere, has, in the same degree as the Institute at Pusa, done, under his efficient guidance, much extremely valuable work.

"I now turn to the operations of the Public Works Department, and will refer first of all to 'Irrigation.' During the year now drawing to a close, productive irrigation works, after meeting all charges for maintenance and repairs, as well as interest on capital, returned a net profit to the State of 272½ lakhs, or slightly less than the corresponding figure of last year, which was 281 lakhs. For the ensuing year, we anticipate

a net revenue of 274½ lakhs, which closely approximates to the actuals anticipated for the current year. Now that the triple canal project of the Punjab has come to completion with the inauguration of the Jhelum Head Works at Mangla, performed by His Excellency last January, an appreciable increase of irrigation revenue will, it is hoped, be realised in the near future.

“ In the course of the discussion on the Budget for 1915-16, the Hon’ble Pandit Madan Mohan Malaviya suggested this time last year that the allotments for irrigation might all be shown in one place in future, and Sir Robert Carlyle promised to consider the matter in regard to the ensuing year’s Budget. I am glad to say that it has been found feasible to give effect to this suggestion, and that the allotments will be shown together in one place in the Budget which will be presented to Council on the 21st of March, and the figures will be shown in the memorandum explaining the details of the estimate.

“ The provision made for capital outlay for major irrigation works during the ensuing year is, under ‘ 49—Productive Works,’ Rs. 135·75 lakhs and under Protective Works Rs. 62·10 lakhs—Total 197·85 lakhs. This total shows a decrease of 17·25 lakhs as compared with the provision for new major works in the revised estimates for the current year, which stands at 215·10 lakhs, and this reduction is, of course, necessitated by the general policy of curtailing expenditure as far as possible.

“ The Hon’ble the Finance Member, in his introductory speech, has already briefly alluded to the present phase of some of the large irrigation projects which are under consideration. I may perhaps be allowed to make a few observations in supplement to his remarks. As Hon’ble Members are aware, the great Sukkur Barrage scheme was submitted to the Secretary of State some three years ago, but was returned for reconsideration by the Government of India, in consequence of the advice tendered to the Secretary of State by a Committee convened by him that there was not sufficient evidence that irrigation in Sind had suffered in the past, or would be likely to suffer in the future in consequence of further withdrawals of water from the Punjab rivers, and, further, that it seemed doubtful whether the project as designed would prove to be a productive work. The scheme has since been reinvestigated by the Irrigation Engineers of the Government of Bombay in consultation with the Inspector-General of Irrigation, and a revised project resulting from all this consideration is now about to be drawn up for approval. The Sukkur Barrage project presents many problems of considerable difficulty, and it is possible that considerable advantage may accrue from the further investigation to which the original project has now been submitted. In any event, in view of present financial circumstances, it is improbable that any money could possibly have been spent upon it, even if the project had met with approval on its first submission.

“ Another large scheme to which reference has been made is that for the utilisation of the waters of the Sarda river. The original scheme provided for a division of the available water-supply between the United Provinces and the Punjab. In regard to the Punjab, the design was to augment the supply of the Eastern Jumna Canal by means of a feeder channel from the Ganges river which in turn was to be replenished by the water from the Sarda river. By this arrangement, it was intended that the Western Jumna Canal in the Punjab should be able to draw more largely upon the waters of the Jumna, and thus to extend irrigation to the dry tracts in the Rohtak and Hissar districts lying within its command. So far as the United Provinces were concerned, the project only provided for the irrigation of the western districts and none for Oudh. Considerable difficulties, both of a technical and administrative character, were inherent in this scheme, and the Government of the United Provinces have recently submitted an alternative which aims at the utilisation of the Sarda water within the confines of the province and the extension of irrigation to Oudh. The original exclusion of the province of Oudh from the benefits of the earlier scheme was due to the belief that the Talukdars of Oudh were strongly opposed to the introduction of irrigation. Not only, however, have circumstances recently altered but the cost

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of well irrigation has considerably increased, and it is now clear that there is a keen desire on the part of the province of Oudh to participate in the irrigation from the Sarda. This alternative proposal, now before the Government of India, is only a part of the complete scheme, and does not preclude the possibility of extension in accordance with the original design.

"In the matter of the division of the waters of the Cauvery river between the Government of Madras and the Mysore Darbar, both disputants have been given and have exercised the right of making representations, regarding the arbitration award and of replying to each other's observations. The case is now before the Government of India, and it is hoped that final orders will be passed during the current month.

"As regards Civil Works, I have nothing to add to what is stated in the Financial Statement regarding Capital expenditure on the New Capital at Delhi. The total Imperial grant provided for '45—Civil Works,' exclusive of sums allotted for expenditure to be incurred in the Civil Department mostly in the several minor administrations and in the administrations of the North-West Frontier Province and Baluchistan, is 80 lakhs as compared with 100 lakhs provided in the Budget for 1915-16. The purposes to which the grant of 80 lakhs mentioned above will be applied are the following :—

- (a) 9.74 for the Delhi Province Ordinary, *i.e.*, apart from New Delhi.
- (b) 1.00 Archæological expenditure.
- (c) 5.93 Payments in England on account of stores, furlough allowance, etc.
- (d) 27.33 Original works new, and in progress.
- (e) 31.86 Repairs, Establishment and Miscellaneous charges.
- (f) 4.14 Reserve for unforeseen expenditure.

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80.00

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**The Hon'ble Sir C. Sankaran Nair** introduced the following heads of the Financial Statement for 1916-17—

<i>Revenue.</i>	<i>Expenditure.</i>
Education.	Medical (Sanitation). Education.

He said :—"Sir, I introduce the following heads of the Financial Statement, that is, Education and Sanitation details of which will be found in the Explanatory Memorandum, paragraph 98, from which the Hon'ble Members will see that the Budget estimate for expenditure in 1916-17 is about 13½ lakhs in excess of the revised estimate for 1915-16, that is the one being 4.75 lakhs and odd, the other being 4.8 lakhs and odd. I have no doubt the Hon'ble Members will consider this satisfactory, considering the financial position.

"There is nothing else of any great interest to which I need refer. I will, however, draw the attention of Hon'ble Members to the fact that out of the estimate for 1915-16, 44 lakhs has lapsed, and that out of the estimate for 1916-17, Government have been able to keep in reserve only a sum of 1.81 lakhs.

"With reference to Sanitation, I have very little to add to paragraphs 108, 109, 110, 111, 114 and 234 of the Finance Secretary's Memorandum which explain the details of the estimates. In regard to the estimates for 1915-16, out of a reserve of 7.70 lakhs, one lakh has been allotted to the United Provinces for the improvement of the pilgrim route from Kedarnath to Badrinath, two lakhs to the North-West Frontier Province for the benefit of the Peshawar Municipality in aid of their scheme of drainage and water-supply, and .70 lakhs to Delhi for sanitary improvements. The balance of the reserve, which comes up to four lakhs, has lapsed in view of the need for economy. Out of the five lakhs which were allotted to the Indian Research Fund in 1915-16, we have spent Rs. 2,52,216 for anti malarial schemes in Delhi and the United Provinces; to the Bombay School of Tropical Medicine, we have

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allotted a lakh of rupees and we have given Rs. 80,000 to carry out a scheme of experimental research in Lucknow. I might also bring to the notice of Hon'ble Members that the Research Association has conducted various inquiries at its own expense into cholera, water analysis, plague, diabetes and tuberculosis. For the year 1916-17, no fresh grants have been made for Sanitation. We have allotted three lakhs to the Indian Research Fund two lakhs to the Peshawar Municipality, and the residue of four lakhs will be temporarily resumed in view of the financial situation. It will be made available for expenditure on Sanitation later on, on a return to normal conditions.

"I do not think there is anything else of interest which I have to bring to the notice of the Council."

**The Hon'ble Mr. Sharp:**—"Sir, in connection with the head 'Education,' I lay on the table the annual narrative of educational progress. It is important to notice that, in the general tables which it contains, an anomaly has been removed whereby, in previous years, the figures for certain Native States were included. This fact has to be remembered in comparing the general tables of 1913-14 with those of 1914-15. If the figures for these States be excluded from the general tables of both those years, then we find that in 1914-15 the number of educational institutions increased by over 4,000, pupils by 260,000 and expenditure by about 120 lakhs. These figures of increase may be taken as probably under-estimates; for it has been impossible to get precise figures for some of the areas which have now been excluded, and I have therefore made an estimate for them which probably errs on the side of moderation. These figures suffice to show that the effect of the large educational grants which were made by the Government of India are by no means cancelled by war conditions, and that progress is steadily maintained. The details of this development and of the various improvements carried out will be found in the narrative."

At this stage the Hon'ble **Sir William Clark** left the Chair, which was taken by the Hon'ble **Sir Reginald Craddock**.

**The Hon'ble Sir William Clark** introduced the following heads of the Financial Statement for 1916-17 :—

<i>Revenue.</i>	<i>Expenditure.</i>
Salt.	Salt.
Excise.	Excise.
Posts and Telegraphs.	Customs.
Stationery and Printing.	Posts and Telegraphs.
State Railways.	Stationery and Printing.
Subsidised Companies.	Protective Works, Railways.
	Subsidised Companies.
	Miscellaneous Railway Expenditure
	Capital outlay on State Railways.

He said :—"Sir, I beg to introduce the heads, Salt, Excise, Customs, Post Office and Telegraphs, Stationery and Printing and Railways. As in previous years, I will ask my Hon'ble friend the President of the Railway Board to deal with Railways, and in discussing the other heads, I will confine my remarks to matters of general interest, detailed explanations of the estimates being already before Hon'ble Members in the memorandum.

"The total revenue of the Post and Telegraph Department for the year 1914-15 was £3,499,800. According to the Revised Estimate the amount for the current year will be £3,627,100 representing an increase of £127,300, and we anticipate that, unless there is a material alteration in the conditions

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prevailing at present, there will be further increase of £137,500 during the coming year.

“ The total expenditure for the year 1914-15 amounted to £3,178,900, and we hope to keep within £3,191,700 for the current year

“ In the matter of capital outlay on the Telegraph service, the Budget Estimate for 1916-17 is £277,900 exclusive of the share of establishment charges, as compared with a Revised Estimate of £1,1600 for the current year and a sum of £166,000 actually spent during 1914-15. Since the commencement of the war, every effort has been made to keep down capital expenditure, and the anticipated increase is due mainly to the rise in the prices of English stores and the replacement of material supplied to the Army Department for issue to the Expeditionary Forces.

“ As regards Salt, Hon'ble Members will be interested to learn that, in the salt areas under the control of the Commissioner of the Salt Revenue in Northern India, widespread and successful efforts have been made to stimulate the export of saltpetre, which is urgently required by Great Britain and her Allies for the manufacture of explosives. The result of these efforts has not only been to afford a substantial degree of assistance to the Allied cause, but has also incidentally given a fresh stimulus to the industry of saltpetre which is carried on by the poor and hard-working class of Nuniyas.

“ In regard to Customs, I can add nothing to what my Hon'ble Colleague the Finance Member has already said regarding our customs revenue, and the various causes which have affected it during the past year. Freights were already high during the first portion of the year, and in consequence of the large demands subsequently made upon the British and Allied mercantile marine for the movement of troops in the Mediterranean theatre of war, they rose in the latter portion of the year to heights altogether unprecedented. That there has not been a greater falling-off in Indian exports is no doubt due to the fact that a large number of these are in such demand outside India, that importing nations are ready to pay the very greatly increased prices which the rise in the freights has caused. Recently, however, there has been a most welcome decline from the high pitch which was latterly reached, although there is no ground for hope of a return during, at any rate, the period of war to anything like the normal freights previously prevailing. The demands on the care and vigilance of our customs staff have continued to increase, with the closer watch which is being maintained on goods destined for neutral ports and on dealings with enemy firms in neutral countries. The grip of the British blockade upon the very slender volume of commerce which still finds its way to the enemy, grows ever tighter; the fresh expedients which are constantly being devised on the part of enemy importers, are being met with ever increasing precaution. Last year I paid a well-deserved tribute to the customs staff on whom a very heavy burden was thrown by our war trade policy, and to the mercantile public for their ready acquiescence in these necessary restrictions. I again desire to renew my appreciation of the work of the Customs Department and to express our thanks to the commercial community for the way in which they have seconded our efforts.

“ Among the more important activities of the Commerce and Industry Department during the past year, have been certain incursions which it has been necessary for us to make into a sphere which is generally considered somewhat outside the scope of a Government department. Chief among these was the scheme for the Governmental control of the purchase and export of wheat. I need not go into details about the working and results of this scheme, since it was dealt with fully by my Hon'ble Colleague the Finance Member in his Financial Statement. At present, owing to the nature of the past season, shipment by Government is in abeyance, but the prohibition on export is still in force and will continue to be so, and the machinery created last year remains ready for employment against the time when circumstances may warrant a resumption of our exports.

“ There have also been other commercial activities which are important, not only from the assistance which they have given to the Allied cause, but

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also in their economic aspect in this country. The great jute manufacturing centre of Calcutta has been called upon, under an arrangement made through the Commerce and Industry Department, to supply vast quantities of sandbags and cloth to Great Britain and the Allies for use in military operations. The arrangement entered into with the Calcutta mills has now been in operation for nearly six months, and the smoothness with which it has worked has drawn from His Majesty's Government a warm appreciation of the zeal and patriotism of the Calcutta manufacturers. His Majesty's Government have also invited the Department to express their thanks to the Calcutta shipowners for the handsome reductions which they made in the then high level of freights in favour of jute manufactures shipped for military purposes to the United Kingdom.

"The resources of the Indian manganese and wolfram fields have become of the very greatest importance in the provisions of munitions of war. The former industry was fully organised and required little stimulation or assistance from Government, otherwise than in the provision and regulation of railway transport. The wolfram mining industry, however, is carried on in the comparatively undeveloped country of Lower Burma, where it was necessary for Government to give a large measure of direct assistance by the provision of labour, the improvement of communications, the temporary relaxation of the mining rules and the furnishing of the advice and assistance of mining and geological experts, in all of which matters the Burma Government have taken a vigorous and important share. The result, it is hoped, will be not only to furnish valuable assistance to Great Britain and her Allies in the conduct of the war, but also to stimulate the growth of an important industry and the development of the resources of the province."

**The Hon'ble Sir Robert Gillan:—**"Sir, in the Railway Department, as in every Department of the Government and every private concern throughout the country, there is one word that recurs on every page and every paragraph of current history, and that word is 'war.' I wish to develop this in three directions—as regards railway finance, as regards congestion, and as regards the manufacture of munitions.

"In the matter of finance, the effects of the war were very plain from what the Hon'ble Sir William Meyer told us the other day. On the capital side in the current year, for instance, against an original grant of 8 million pounds we now propose to spend only £4,900,000; and for next year the provision is no more than £3,000,000. But it will be clear that a very large restriction of expenditure was in any case inevitable, both because we were precluded from going to the Home market for money, and because materials were not available, even if we could have got more money. The second point is very important; indeed, only the other day the Secretary of State informed us that he was very doubtful whether we should be able to get materials for even a three million programme. The Council will be interested, however, to know that in view of this difficulty, we have definitely reserved a certain sum in our Budget to enable us to purchase rolling-stock if available in India, and that no indent goes home without a special examination to satisfy us both that the materials are absolutely necessary, and that no part of the manufacture involved can be carried out in this country. Thus, we hope to give a little assistance to Indian industry, and at any rate we avoid interference with the important work of manufacture of munitions at home. On the Revenue side, the position this year is that we now hope to make £2,370,000 more than the Budget estimate, without exceeding the Budget grant of expenditure. This of course is not a result that would normally have been expected. Normally, if railways earned £2,370,000 in additional traffic, they would spend a proportion of that sum—perhaps 25 per cent or £600,000—more in working expenses. The actual result has been secured by the efforts made by railways, which the Railway Department wish to acknowledge, in order to secure the utmost possible economy in working. In the Revenue Budget for next year, we have still to aim at the same great object of contributing the maximum net revenue to the Empire. But here some

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special factors come into play. For instance, the price of materials and stores will be very much higher. Then, of course, on the supposition that the war continues throughout the year, we shall have again to carry a large proportion of military and coal traffic, the cost of working which is high in proportion to the receipts. But the main point is that, under the conditions of railway working, restriction of expenditure becomes more difficult the longer it is continued. Thus, to meet an emergency, we may postpone expenditure on maintenance of ways or repairs to engines, but as engines continue to be laid up and the condition of the permanent-way declines, a point comes at which expenditure is absolutely essential or the capacity of the line is affected. This will explain why the percentage of working expenses to receipts, as estimated for next year, is 53·60 against 52·68 in the revised estimates of the current year; and it is interesting to observe that in the last normal year—1913-14—this percentage was 52·13. But of course in considering these figures the special factors I have mentioned have to be taken into account.

“Next as regards congestion. This too is the result of the war, because it has arisen from the great shortage of tonnage. The coal carried by sea from Bombay to Calcutta alone was well over a million tons a year, and all this has been thrown on to the railways in addition to their ordinary traffic. What has to be said on this subject, I think, is, first, that no railways could possibly be expected to be so equipped and organised as to carry, without some dislocation and delay, new traffic of this description, that the Railway Department and Railway administrations have co-operated to improve, where possible, and everywhere to make the fullest possible use of the facilities by all existing routes, that we have not been unsuccessful so far, we have at any rate carried on and hope to continue to do so. But about the prospects of the next busy season I do not know what advice our commercial friends would give us. Is the pressure then going to be more severe than it has been recently? Probably the factors are so indeterminate as to make it very difficult to give an answer to this question.

“Then I come to the manufacture of munitions. This is a new thing for railways, and some people were very doubtful whether we could do it. Well we have done it. And it is not only a railway business. It is a business in which a number of private concerns have co-operated very energetically and successfully. I suppose it would scarcely be proper for me to give out the exact number of shells we are turning out every week, but it is a considerable number and it is increasing from week to week. And it is surely a matter for great congratulation to every one of us that these products of Indian hands, made out of Indian materials—because we rely on the enterprise of Messrs. Tata for our raw materials—are being employed against the common enemy. They are a weighty and a striking proof of the devotion of India to the cause of the Empire.

“Naturally, Sir, the railways of India have had much to do with India's share in the war. They have had, for instance, heavy work in connection with the movements of troops, and they have been very proud to receive the commendations of His Excellency the Commander-in-Chief on the way in which this work has been carried out. They have given a number of their officers for active service. They have not only contributed something in the way of munitions themselves, but they have done what they can to avoid interference with the manufacture of munitions at home.

“I have been asked, is this policy, involving as it does a restriction of expenditure, a sound policy from the railway point of view? But it seems to us that in these days railways cannot afford to have a separate policy of their own. The improvement of their property is a matter of the highest importance, but the first thing to provide for is its security, and the primary object of railways, as of every other interest in the Empire, must be the successful prosecution of the war.”

At this stage, the **Hon'ble Sir Reginald Craddock** left the chair, which was taken by the **Hon'ble Sir William Clark**.

[ *Sir Reginald Craddock.* ] [ 9TH MARCH, 1916. ]

**The Hon'ble Sir Reginald Craddock** introduced the following heads of the Financial Statement for 1916-17 :—

<i>Revenue.</i>	<i>Expenditure.</i>
Registration.	Registration.
Jails.	General Administration.
Police.	Courts of Law.
Medical.	Jails.
	Police.
	Medical.

He said :—“ Sir, the departments with which the Home Department is concerned, are departments which are extremely useful and necessary to the State, but are generally accepted, as they are, without much discussion, and I propose to make only a very few remarks on this occasion. Under ‘ General Administration ’ I should just like to notice that, in spite of the financial difficulties that prevail, the scheme for the revision of ministerial establishments and improvement of their pay in district and other offices in the United Provinces, involving an actual cost of Rs. 5,73,000 a year, was given effect to from April 1st, 1915. It will be very satisfactory to Council, who have by their Questions and Resolutions shown their interest in the pay of the humbler ministerial servants of Government, that this long desired improvement of the prospects of the ministerial employes of the United Provinces was not postponed in spite of the financial difficulties prevailing.

“ Under Police, as I have in previous years remarked, a steady rise in the expenditure has continued and is bound to continue. I do not think that any member of this Council will dispute the expediency of ensuring that the pay of the subordinate police constitutes a living wage. It has constantly been a complaint in the press and among the public generally that the humbler policemen, constables and head-constables, are not given enough to live upon, and you cannot expect that they will always keep their hands clean and do their duty as they ought to if their pay is inadequate. Several schemes have been sent up by the Provinces ; some have been sanctioned, and some of them put into force, or will very soon be put into force, for improving the pay of constables and bringing them more into accordance with the increased cost of living. The recommendations of the Police Commission, it is true, brought about certain progress in the pay of these humble servants, but by the time that the recommendations had come into force, the cost of living had already risen to such an extent, that the recommendations themselves did not go as far as had been anticipated. Consequently, in the present and subsequent years, we may expect a small increase, at all events, under this head. I have in previous years taken this opportunity of paying a tribute to the great value that the police services are to this country, and of deprecating any exaggeration of their defects which people are sometimes prone to make, forgetting that the few cases where they fail are brought much more prominently before the public than the vastly more numerous cases in which they render the most faithful and honourable service. During this year the police have been called upon, more especially in the Punjab and in Bengal, to cope with anarchy and increase of crime, and I would like to say on behalf of the Government of India how greatly the Government of India appreciate the way in which the police have responded to the extra call, in those Provinces especially, and generally all over India.

“ Under ‘ Medical ’ a great part of the expenditure falls under the head ‘ Sanitation.’ Perhaps I may be able to persuade my Hon'ble Colleague, the Finance Member, to break up the figures so that I may have some entirely my own to speak about. At present this has not been done, and under this head I only mention that, as in other branches of the public service, important schemes have had to be kept in abeyance, and anticipated progress has not been found possible. One of these schemes is the large Central Lunatic Asylum at Ranchi, the expenditure on which has been curtailed ; and in the case of the School of Tropical Medicine in Calcutta, financial stringency

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has made it necessary to delay the progress of the scheme that we had hoped might have been made by this time.

“ Under ‘ Jails ’ I have only to renew the expression of regret I made last year that the promised Jail Commission remains in abeyance ; but at all events we may hope that the time will not be long before that inquiry will take place, and that on a thorough examination of the jail system many anticipated improvements may be brought into realisation.”

**The Hon'ble Sir William Meyer** introduced the following heads of the Financial Statement for 1916-17 :—

<i>Revenue.</i>	<i>Expenditure.</i>
Opium.	Refunds
Interest.	Opium.
Mint.	Stamps.
Receipts in aid of superannuation.	Income-tax.
Exchange.	Interest on obligations other than the Public Debt.
Miscellaneous	Mint.
	Civil Furlough and Absentee allowances.
	Superannuation Allowances and Pensions.
	Exchange
	Miscellaneous.
	Reduction or Avoidance of debt.

He said .—“ Sir, I need not add anything to what has been said on these matters in my opening speech introducing the Financial Statement and in the Secretary's Explanatory Memorandum.”

## RESOLUTION *RE* VERNACULAR MEDICAL TRAINING.

**The Hon'ble Dr. M. N. Banerjee :—**“ Sir, the question of supplying sufficient men, trained in the western methods of treatment, for the civil and military administration of the country and for supplying the medical needs of the people, has engaged, from time to time, the attention of the Government since the commencement of medical education. As far back as 1839, Hindustani classes were opened in connection with the Calcutta Medical College to train a class of men called the native military assistants for military service. In 1852, Bengalee classes were opened to supply Hospital Assistants for civil administration. In 1873, the number of students in these classes numbering over 80, it was thought desirable to form them into a separate school at Sealdah. Vernacular medical schools of the same standard were also started in other parts of Bengal and in other Provinces. We have now fifteen such medical schools in all India—2 in Bengal, 2 in Bihar and Orissa, 1 in Assam, 3 in Bombay, 3 in Madras, 2 in the Punjab, 1 in the United Provinces and 1 in Burma.

“ The course of study and standard of examination in the other Provinces are more or less the same as in Bengal. The idea underlying the constitution of these schools was briefly a lower preliminary education, a shorter course and a lower standard examination, the higher standard being reserved for the five Medical Colleges at Calcutta, Bombay, Madras, Lahore and Lucknow.

“ But though the theory of a lower standard for obtaining the maximum number of trained medical men has been accepted and acted on by Government for such a long time, it has not been properly developed, as the object aimed at is often lost sight of. The students in the schools are not trained for the special purposes for which they are required, but are made to go over nearly the whole course of medicine as in the colleges, and to waste a great portion of their time and energy in acquiring such knowledge and doing such work

which can be of no use to them in after-life. The result is they are fitted neither for the higher nor for the lower standard of medical practice.

"Sir, in 1878, a Committee was appointed by the Bengal Government for the purpose of reporting on medical institutions and medical expenditure generally. The members of the Committee were J. O Kinealy, O. Macaulay, A. G. Payne, J. Jones, S. C Mackenzie, A. S. Lethbridge, R. Harvey. The following extracts from their report will illustrate my point :—

'In the opinion of the Committee, it is distinctly proved that, in spite of the elaborate education offered, they fail to become practitioners, and are by no means always useful assistants.'

'The teachers at Sealdah are able men, especially selected for the post. Why then is the result so unsatisfactory? The Committee would answer, because it aims too high, is too theoretical and too little practical for the class of men who have to be taught. The men leave the school with a minute book-knowledge of anatomical details, which they will not apply in practice and which are soon forgotten, but who cannot extract a tooth or set a fracture; men who will gl.ibly run off pages of description of diseases of the heart and attempt to diagnose them by placing a stethoscope on the right nipple, who will pass an examination in Chemistry, but cannot test a specimen of urine, etc., etc.'

'Several medical officers consulted by the Committee deprecate any lowering of the standard of education. There seems to be some confusion of ideas, however, between the standard aimed at and that actually realized or realizable. The former is a complete medical education; the latter is probably the lowest achieved by any medical school. The object of medical education is to train men to battle with disease; but this great end is oft'n in danger of being overlooked in a misapprehension of the means to gain it. We turn out pretended chemists and anatomists instead of doctors, and a student's time is so taken up with the encyclopædic details of the many subjects in which he has to satisfy his examiners, that he has nothing left for that practical work by which alone he can learn to apply his theoretical knowledge to the relief of disease, etc., etc.'

'The Committee believe that under a more practical system of education the realisable standard may be very greatly raised without increasing the length of the curriculum from 3 years to 4 as has been proposed, etc., etc.'

'The experience of the medical members of the committee lead them to the belief that Hospital Assistants educated at schools at Agra, Nagpur and Lahore, are as a rule much better qualified than those educated at Sealdah, although none of these schools have so large a teaching staff or is so well supplied with appliances for teaching as in the Sealdah School.'

'It cannot be too frequently repeated that the object of the school is to train Hospital Assistants and humble village practitioners who are expected to be satisfied with incomes ranging from Rs. 10 to Rs. 60 a month.'

"Sir, nothing could have made clearer the intention of the Government or the object to be aimed at. And no words of mine can put more strongly the reasons for the present Resolution, the concluding paragraph being its very essence.

"But in spite of the intention of the Government, and in spite of the clear definition of the aim given by the Committee, the vernacular schools, impelled by the force of advancing western medical science and by a natural desire to improve themselves, have continued to raise their standards and have come to a point when they can scarcely be called vernacular schools. The local Acts of Medical Registration have completed the transformation. Lectures were already being given in English. The examining bodies appointed by the Acts have now ruled that the examinations also are to be conducted in English, and have raised the preliminary qualification to Matriculation. These rules about lectures and examinations have already affected the private institutions which have come into existence during the last quarter of a century to supply the demand for more medical education, and which followed the same standard as the old vernacular school. One of them has ceased to exist, and another is, I understand, going to wind up in April next. The inevitable result of all this will be to reduce still further the number of trained men, which has never been great for the purposes of ordinary practice. In Bengal, in spite of its facilities for medical education, for it had the largest number of medical institutions (including the four private), the number of men with registrable qualifications is under 3,000. Is it not appallingly small for a population of 50 millions, in comparison with 30,000 qualified men for a population of 30 millions in England? It seems strange that with so few qualified

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men for the medical register, the passed students of the private medical institutions should be excluded from it. I venture to think it was neither wise nor just. It was not wise, as their inclusion would have more than doubled the number of registrable medical men, and it was not just as, when the Medical Acts passed in England, all those who were practising before the enactment were included in the register.

“ So while the standard of medical education is being raised and the practising medical men are being weeded out, the dumb millions are entirely forgotten and allowed to die without medical treatment or left at the mercy of the quacks. It may be said that there are the *Kavirajes*, *Hakims* and practitioners of other methods. But times are changed and the majority of the population are for the western method of treatment, being impressed with its efficiency.

“ What is the remedy? Sir, I humbly suggest that the only remedy lies in going back, if possible, to the old standard for medical schools, or, if that is not possible, to start new institutions with the humbler aim of training humble village practitioners. These institutions should have the same distinguishing features, *viz.*, a lower preliminary qualification, medium of instruction chiefly vernacular, and a short course. The first and second will be the same as for the old Hospital Assistants. But as regards the third, a thorough revision of the course of study is necessary.

“ This is not a place for going into details. But the main principle is this. The students should have a thorough practical training which will make them efficient country practitioners. They must not waste their time in learning the details of such subjects as Chemistry, Botany, Anatomy, Physiology and Pathology. They should have a general knowledge of medicine, surgery and midwifery, and a thorough practical knowledge of diseases they will have to treat. Their hospital practice should be mainly at the out-door, as there they will find most of these cases. A hospital consisting of 25 to 50 beds, admitting those cases only with which they are concerned will be good enough for their in-door practice. Cases of unusual occurrence, or those requiring great surgical skill, such as appendicitis, hernia, cataract, ovarium tumours, etc., are out of place in such hospitals.

“ These institutions are expected to turn out men who can set a fracture or reduce a dislocation, or do some minor surgery, men who can cure or give relief in diseases which prevail in this country, such as cholera, dysentery, bronchitis, pneumonia, tuberculosis, malaria, kala-azar, enteric and fevers.

“ The modern methods for the treatment of some of these diseases are striking in their effects. Sir, I have seen cholera patients snatched away from the very jaws of death by intravenous saline injections. Antitoxin has taken away the horrors of diphtheria. Ayurvedic medicines have given way to injection of emetin in dysentery. Diabetic gangrene which was, in the early days of my practice, considered as universally fatal, has yielded to Staphylococcus vaccine. The effects of Salvarsan are a marvel. For kala-azar, which is as much a curse in this country as malaria, we have at last found a cure in the intravenous injection of antimony.

“ Will our benign Government deny the benefit of all these modern methods of treatment to the dumb millions by not supplying men who can make use of them? Thousands can be saved if these men are supplied. The lives of the people are a valuable asset to the State. Will not the State be richer by rendering these treatments accessible to the people?

“ The question then is not as to the necessity of institutions which will supply such men, but as to how far it is within the range of private politics. I have already said, and it has been admitted by the Bengal Committee mentioned above, that elaborate equipments and hospital arrangements are not necessary for them. With our very moderate equipments at Belgatchia, we have passed out from our vernacular classes a number of capable men who, though outside the Register, have been useful as country practitioners and as medical

assistants in the service of Government and of the various industries, such as tea, jute, mining and shipping. Our house physicians, selected from the same class, are quite competent to give intravenous injections or use other modern methods and appliances, and are entrusted with those duties at our hospital. I, therefore, feel confident that a school with moderate equipments and with a hospital of 25 beds and an out-door department attached to it, will serve the purpose. It will not be very costly, and when a few model schools of this description are started by Government, and the main difficulty of the medical institutions, the maintenance of a large hospital, is removed, private enterprise will follow the example, and, as it has done in the Arts and Sciences, numbers of private institutions will spring up to supplement the work of Government and supply the country with the much-needed medical help on a large scale.

“When these institutions come into existence, the question of examination will come up for consideration. A lower standard examination may be instituted either by the examining bodies now existing, or by any examining boards specially appointed for the purpose. The passed students need not have degrees or diplomas, they may be called medical assistants, native doctors, or by any other name. But one thing is certain. They must be recognised by the Government as qualified practitioners, or the scheme is bound to fail.

“I have read with interest a scheme proposed by the Mysore Government which is apposite to the point I am discussing. With your permission, Sir, I will read a few extracts from the statement of the Financial Secretary :—

‘The facts of the case are simple. Thousands of men in the rural parts of the State die every year for want of medical treatment even of the simplest kind. The country is poor. We cannot maintain highly qualified medical men in every *hobli*. Under these circumstances, should we adhere with fatal pride to a high ideal of professional efficiency and leave the rural population to suffer and to die with no medical help? The problem stares us in the face and cries out for solution, etc., etc.’

‘The Sub-Assistant Surgeon, as he is now trained, is useless for the object we have in view, *viz.*, the provision of village doctors. He is much above it.’

‘We must revert to something like the native doctors of the old times. We must have a set of men who, while able to render useful medical help, will be satisfied to live as villagers among villagers on a modest income, etc., etc.’

‘I think if we get hold of students who have read up to the lower secondary standard, and train them in a special institution for a period of two years, we may have the desired type of men.’

‘Lieutenant-Colonel F. H. Foulkes, I.M.S., who has been consulted about this proposal, writes—I have been thinking of your scheme, and I like it the more I think of it. At first sight it does not seem sound, but it grows.’

“From this paper I also learn that a class of persons very much like the village doctor, and discharging the same functions, and called *Practicantes* exists in Spain. After an entrance examination they have a course of medical study for two years, at the end of which there is an examination for the diploma. If such a system is found necessary and useful in Spain, how much more necessary is it for India which is a much poorer country?

“These are facts which strengthen my case. I have taken pains to ascertain the views, in my Province, of the unofficial medical profession and of representative men outside the profession, and I can assure the Council that my Resolution has the hearty approval of all I consulted.

“In conclusion, may I be permitted to suggest, though the suggestion is not covered by the terms of my Resolution, that, if the Government takes a favourable view of my Resolution, they may advise the Local Administrations to appoint Committees consisting not only of medical experts but others who are not experts who will leaven expert knowledge with larger considerations and a wider knowledge of human affairs. Expert knowledge, in association with close grasp of actual needs and free from prejudices which technical knowledge is apt to engender, will, I hope, provide a solution of this difficult problem which will satisfy the needs of the country and the demands of public opinion.

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“ With these words, Sir, I beg to move the Resolution which stands in my name, namely :—

‘ That this Council recommends to the Governor General in Council that Local Governments be asked to consider the advisability of establishing institutions for the purpose of giving medical students a special course of training conducted in the vernaculars so as to qualify them for ordinary medical practice in rural areas, and of encouraging and assisting deserving private enterprise to provide such medical education.’

**The Hon'ble Sir Pardey Lukis:**—“ Sir, I have listened with much interest to the able speech of the Hon'ble Dr Banerjee—a speech which raises a most important question in connection with the general medical education of Indian students, and one which must be regarded from an Imperial standpoint and not merely from a Provincial standpoint. As my Hon'ble friend has pointed out formerly, in the Government medical schools all over India, Sub-Assistant Surgeons (or Hospital Assistants, as they were then called) received their instruction in the vernacular of the province concerned, and it is only within the last few years that English has been adopted as the teaching medium. This change to the English language was necessitated by the paucity of vernacular works on scientific and medical subjects. I understand, however, that this dearth of suitable text-books is not as important a factor now-a-days as it was a few years ago, and I have it on the authority of the Editor of the ‘ Calcutta Medical Journal ’ that at any rate, so far as Bengal is concerned, several vernacular works now exist which are suitable for the lower standards of medical education. I am informed, moreover, that especially in Bengal there is a steady and increasing demand for medical men of a somewhat lower standard than that of the Sub-Assistant Surgeon, and it has been suggested that new medical schools should be started for imparting medical education in the vernacular, the object being to secure for the rural areas a class of practitioner corresponding very closely to the old type of Native Doctor, which has now practically disappeared. In support of this demand it is urged that the income obtainable from private practice in a village is not sufficient to attract either an Assistant Surgeon or Sub-Assistant Surgeon or at any rate not a highly trained one, but that it would probably prove sufficiently attractive to a passed student of a vernacular medical school who would be content to settle down there for the whole of his professional life.

“ This is, I take it, the demand which the Hon'ble Dr. Banerjee has in view in proposing the Resolution now before the Council. If so, I am glad to be able to say that he has my most cordial support, even though I could not agree to the lowering of the standard of existing medical institutions. In giving this support, however, I should like to lay down three conditions which, personally, I consider essential to the success of the scheme. In the first place, it must be clearly understood that these vernacular schools should be entirely separate institutions. There must be no attempt to graft vernacular education upon any English teaching school which either is, or is about to be, affiliated to a recognised Indian University, or to a State Medical Faculty, or to any other duly authorised examining body, such as the College of Physicians and Surgeons of Bombay. One reason for this reservation is obvious. Any educationalist of experience will, I think, agree with me that there are grave objections to any attempt to combine in one and the same institution two grades of instruction, the objects and the medium of which are entirely different. But there is another reason which may possibly not occur to laymen and which is peculiar to medical schools, and does not affect the ordinary lay teaching institution. As Hon'ble Members are aware, every medical school has its attached hospital, the wards of which are filled by patients of the poorer class who, in return for gratuitous treatment, allow themselves to be regarded as teaching material, and who have to submit to examination by the students, to enable the latter to obtain practical skill in diagnosis. There is, however, a limit to physical endurance, and, in the interests of the sick and suffering, it is impossible to allow more than a limited number of students to examine a given patient. I ask Hon'ble Members to consider, for instance, what would be the condition of a patient suffering, let us say, from heart-disease, after his chest had been auscultated and percussed, first by the University

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students; then by those going up for the membership or License of the State Medical Faculty; and finally, by the vernacular class. One feels inclined to add—last of all the man died also. Now, this is to my mind the strongest reason why these vernacular schools should not be grafted upon any of the existing institutions. The next condition I should like to lay down is, that these vernacularly trained village practitioners should only be allowed to practise in rural areas. They are not wanted in the large towns from which I constantly receive complaints that there are already far too many practitioners, and that the income of these gentlemen is diminishing every day as a result of competition by retired compounders and men of that class. The advent, then, in the large towns, of yet another competitor in the shape of the village practitioner would not be welcomed by the members of the independent medical profession. My third and last condition would be, that Government, whilst encouraging and assisting deserving private enterprises, should insist on some form of outside control and inspection so as to ensure strict adherence to whatever standard might ultimately be decided on. This is, I consider, essential in the interests of the public, for it must be remembered that, even as regards the proposed class of village practitioner, there is, as I pointed out in Council the other day, a limit below which it is not safe to go without incurring the risk of bringing into discredit the western system of medicine. With the reservations, however, which I have mentioned, and on the distinct understanding that this new class of medical man will be introduced for a definite object, and with a limited sphere of action, I consider that he will serve a useful purpose, and for that reason, it gives me great pleasure to support the Resolution which, I trust, the Government of India will be able to accept."

**The Hon'ble Sir Reginald Craddock:**—"Sir, the Resolution of the Hon'ble Dr. Banerjee has been worded in general terms, and we are therefore able to accept that Resolution, and as the Hon'ble Surgeon General Lukis has stated, there are many reasons why we should feel sympathy with the objects which Dr. Banerjee has in view. I think most of us remember men of the hospital assistant class, as they were called, who had been trained in a vernacular school and who had no knowledge of English, and I know that some at least of these men, had obtained the confidence of the public, were very well regarded by their Civil Surgeons, and certainly made considerable private practice. We have not had time in the interval, since Dr. Banerjee proposed his Resolution, to look up the whole history of the subject and to find out exactly why, in the several Provinces, vernacular instruction has dropped, and whether there were at that time reasons other than financial for not continuing schools of this type.

"This history we shall now be very glad to investigate, and in the meantime we are perfectly ready to ask the Local Governments to consider the advisability of establishing such institutions for the purposes mentioned, and of encouraging and assisting deserving private enterprise to provide such medical education, if full and complete examination of the subject shows that that course is both desirable and feasible. We, of course, cannot commit ourselves further than this. The Hon'ble Surgeon General Sir Pardey Lukis has mentioned certain reservations which would limit any practical recommendations to which he would be prepared to subscribe, and it is possible that the Local Governments may find other reasons or other reservations that they would like to make on this subject. But we are perfectly willing to address Local Governments in this sense, and to do anything that we can in order to see that the subject is thoroughly examined and is not summarily rejected by those consulted.

"I have much pleasure, therefore, on behalf of the Government, in accepting this Resolution of Dr. Banerjee."

**The Hon'ble Mr. Surendra Nath Banerji:**—"Sir, I just want to say a word or two with reference to this Resolution. I beg to support the Resolution, which is in accordance with Bengal public opinion, as my friend the

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Mover has observed, and as I have been able to ascertain in consultation with medical friends. The need of medical practitioners of the kind who will be *alumni* of these schools is obvious. The other day the Magistrate of Bankura reported that in his district 30,000 people died without medical aid of any kind whatsoever. That is an official statement made by a district officer upon his own responsibility and after inquiring into the facts of the case. In the same district we have another telling fact. The doctor was ill—I think he was in charge of a sub-divisional dispensary—and he could not get any medical aid at all. It was a case of ‘physician heal thyself.’ That being the state of things, it is obvious that a Resolution of this kind, if accepted by Government and given effect to, will do a great deal of good.

“But, Sir, I have a word or two of comment with regard to the reservations and the qualifications which have been suggested by the Hon’ble the Surgeon-General. With reference to one of these qualifications I find myself in complete disagreement with him. He says that the graduates of these colleges—call them graduates or call them *alumni*, as you please, it does not matter—ought to be debarred from practising in the towns. I do not think, Sir, that any disqualification of that kind ought to be imposed upon them. It is a case of the survival of the fittest. Some of these doctors may turn out to be eminent medical practitioners, gifted with a genius for diagnosis, born physicians or born surgeons who might be able to do a lot of good. And why should you exclude them from practising in the towns? Why should you deprive the urban population of the benefits of their skill, whatever that may be?”

“It seems to me that that is a disqualification, a reservation, which cannot commend itself to public opinion, and I for one am not in favour of it. There ought to be no disqualification of that kind. Let the public make their choice. If they want one of these rural doctors, why should they not be allowed to avail themselves of his services? I do hope that that disqualification will not be insisted on, and that it will be withdrawn after mature consideration.

“Subject to these comments, and having in view that the public opinion of the Province which I have the honour to represent in this Council is entirely in favour of this Resolution, I beg to accord my cordial support to it.”

**The Hon’ble Pandit Madan Mohan Malaviya:**—“Sir, I beg to support this Resolution. It has not been brought a day too soon before Government for consideration. The want of sufficient medical assistance has been a matter which has again and again been brought to the notice of Government; even in moving this Resolution the Hon’ble Doctor Banerjee has pointed out how small is the number of medical men qualified to render assistance to people who need it. I hope, however, that the proposal before us will not be regarded as any excuse or as any reason for not endeavouring to multiply the number of medical men of the higher type who ought to be available to the country. The need for such medical men is great, and the number of medical institutions which exist in the country for turning out men of University qualifications in medicine is small. The restrictions that have been imposed, and are being imposed, are regarded as creating difficulties in the way of people obtaining even the medical assistance which is available to them at present. But apart from that, I think that there is room and great room for a step in the direction which has been recommended. Such a step ought to have been adopted long ago, but it is a matter of thankfulness that the Government is now going to recommend it to the consideration of the Local Governments. The vernacular ought to be the medium of instruction for every subject, except a language, and in no subject could this medium be more usefully employed than in giving instruction in medicine. I agree that this matter ought to be taken up by Local Governments, and I hope that when it is, all the questions which have been raised here, and others which may suggest themselves, will be carefully gone into before a scheme is devised.

“One thing I wish to add. I join with my friend the Hon’ble Babu Surendra Nath Banerji in the view that the reservations as to the area in

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which such practitioners should practise ought to be removed. Apart from every other consideration, such a reservation will most certainly defeat the object which the scheme has in view. Once announce that students who have been trained in the proposed institutions shall not be permitted to practise their profession except in rural areas, and you will shut out a number of students who would otherwise be willing to join them. This is an aspect to which full consideration should be given. I hope that when the matter comes before the Provincial Governments and Committees are appointed, as has been suggested, they will go thoroughly into the question.

“There is one other point to which I should like to invite attention for a moment, and that is the great need, the insistent need, for the Government to recognise, even at this day, the justice of providing means for imparting instruction in the indigenous systems of medicine. The Mover of the Resolution has said a great deal in regard to the need for promoting instruction in western medical science. I do not yield to anybody in my admiration for the triumphs which that science, and particularly modern surgery, have made. I feel thankful, as much as any other member, to those who have brought about those results for the amelioration of human suffering. But I know how vast is the service, how immeasurable is the service, which the indigenous systems of medicine have rendered to mankind in this ancient land and this extensive Empire. Even to-day these systems attract and serve a much larger number of the population than the western system of medicine, and I think it is only right that the Government should consider whether it ought not to help and encourage these systems.”

**The Hon'ble the Vice-President:**—“Order, Order. I must ask the Hon'ble Member to keep strictly to the Resolution. This does not arise on the present Resolution, which deals with the ordinary system of medicine and not with the indigenous systems.”

**The Hon'ble Pandit Madan Mohan Malaviya:**—“I bow to your ruling, Sir. I will take another opportunity to say what I wish on this point. I hope that the need for supplying the country with men trained in the medical systems which are best suited to serve the people of this country, will be much more carefully looked into and much better provided for than it has been in the past.”

**The Hon'ble Mr. Vijiaraghavachariar:**—“I have only one word to say, Sir. I do not quite understand the Resolution nor its scope. I do not very well understand the nature of support given to it by the Hon'ble the Surgeon General Sir Pardey Lukis, and the Hon'ble the Home Member on behalf of the Government.

“I view this Resolution altogether with suspicion. It is a sorry device invented by those who want to support the Bogus Medical Degrees Bill. I said so at the time when it was mentioned to me. I am not a believer in ‘born surgeons.’ We occasionally hear of a born poet or a born singer, but not of a born architect or a born surgeon. I am one of those who believe that in the matter of medicine, the saying—‘Drink deep or taste not the Pierian spring’—applies. The Hon'ble Mr. Surendra Nath Banerjee told us that a large number of people at Bankura died for want of medical aid; but he has not told us whether medical aid, such as is contemplated by this Resolution, would add to the mortality or diminish it. What is the good of a Resolution like this? It is better to leave things to nature, to pure water and pure air and even to grandmother's cures than to trust to medical men of this kind, ill-equipped, ill-taught—taught in a language in which they could not exactly understand the words translated. May I know the words in general vernaculars for oxygen, or hydrogen? May I know what the word for kidney is? What are the exact words for white corpuscles and coloured corpuscles of blood, and what are the particular vernacular words for the various glands? What is the good of putting forward a Resolution without first realising the

[9TH MARCH, 1916.] [ *Mr. Vijiaraghavachariar ; Rai Ghanasyam Barua Bahadur ; Mr. Madhu Sudan Das.* ]

consequences of that Resolution? I believe that vernacular education in western medical science would be a huge farce—a very huge farce. What is here contemplated is, if we can, to catch hold of some poor students and to give those students a travesty of lessons in western medicine and western surgery. A far better position would be to catch hold of institutions for Unani and Ayurvedic systems of medicine, and there to impart in English language, instruction in Physiology and Anatomy and Chemistry. Where there is such real education, with some substantial knowledge of Physiology and Chemistry, the students would know where and how to look for more knowledge. Ayurvedic and Unani students might then be so equipped with the necessary elementary knowledge—elementary but accurate knowledge so far as it goes—in western science as probably to be able to dress the wounds of a man fairly well. And therefore I am obliged to say frankly and freely that I suspect this Resolution, I am bound to oppose it and I oppose it.”

**The Hon'ble Rai Ghanasyam Barua Bahadur :—**“ Sir, the Resolution has already been accepted by the Hon'ble Surgeon General Sir Pardey Lukis and the Government, and there is no need of speaking any more in support of it. I have no doubt there is great force in the reasons advanced by the Hon'ble Dr. Banerjee that such a class of medical practitioners will be useful, and that there is room for them. I am sorry I do not quite follow the Hon'ble Mr. Vijiaraghavachariar in the objections he has put forward. Even if such a class of practitioners happen to kill men, they will certainly kill less than the ordinary run of untrained quacks, and I think they will be very good auxiliaries to the higher classes of practitioners. I have risen simply to associate myself with my friend the Hon'ble Mr. Surendranath Banerjee in the protest he has made against the third condition laid down by the Hon'ble Member who replied to the Resolution. I would point out that, in addition to the reasons which have been given by the Hon'ble Mr. Banerjee, there is another strong reason why that condition should not stand. What are the poor of the towns going to do? These practitioners are meant for the poor. The bigger practitioners in the towns of course cannot be approached by these poor people, and it cannot be that all these poor people will be able to get the necessary aid from the hospitals. Some of them will require medical aid in their homes, and if they are to get it, we must let these practitioners practise in towns too. There is not much reason for the apprehension that the superior classes of practitioners will be injuriously affected by them; if any body is capable of interfering with them, it will only be by virtue of superior natural talent. In many cases I think they will rather be very useful assistants to the better qualified grades of the profession. I, therefore, say that there is very strong force in the reasons put forward by the Hon'ble Mr. Surendranath Banerjee against the third condition proposed by the Hon'ble Sir Pardey Lukis, and I hope he will be pleased to omit it. With these remarks, I support the Resolution.”

**The Hon'ble Mr. Madhu Sudan Das :—**“ Sir, I did not expect that there would be any opposition to a Resolution of this kind. This is a Resolution which aims at ameliorating the condition of suffering humanity of the poorer class. Objection has been made on the ground that these men would not have sufficient scientific education, and by way of illustration reference was made to certain organs of the human body, and it was said that vernacular students would not be familiar with the English names for these things. Does the quack who administers medicine which he has learnt from his grandmother understand what is the meaning of the word 'kidney'; does he know the location of the kidney in the human body? Perhaps he would look for it in the head. These are the people who are now entrusted with the precious lives of millions who constitute the backbone of the nation. The Hon'ble Sir Pardey Lukis, with his experience of the country and with his sympathetic attitude towards Indians, has supported this Resolution. The poor people under this

[ *Mr. Madhu Sudan Das; Pandit Madan Mohan Malaviya; The Vice-President; Dr. M. N. Banerjee* ] [9TH MARCH, 1916.]

arrangement would have doctors whose services would be available to them within their means. The object of this Resolution is not to increase mortality in the villages, but to improve public health, and it is because I believe in that object, that I support this Resolution.

“There is one point, however, Sir, that I do not understand. It may be that sitting here as I do at a distance I could not follow the speeches. In the matter of speeches, distance does not lend enchantment, as the poet says. The Hon’ble Mover said—and I understood the Hon’ble Mr. Banerjee said—that so far as Bengal was concerned, books were available; but there are other parts of India where books in the vernacular are not available”

**The Hon’ble Pandit Madan Mohan Malaviya:**—“Are you sure?”

**The Hon’ble Mr. Madhu Sudan Das:**—“I said ‘other parts’?”

**The Hon’ble Pandit Madan Mohan Malaviya:**—“Are you sure of the other parts?”

**The Hon’ble Mr. Madhu Sudan Das:**—“‘Other parts’ does not mean the part you know.”

**The Hon’ble the Vice-President:**—“Order, order.”

**The Hon’ble Mr. Madhu Sudan Das:**—“Well in that case, I suppose when the Resolution is accepted, I hope it is the intention of Government that every effort shall be made to introduce books,—to invite men to write books in the vernacular. The Government have to do something in that direction if this Resolution is to have any practical effect. One thing I should like to say, and that is, that it is not impossible to teach in the vernacular, because I have come across lady students in the Cuttack Middle School—which teaches up to the standard of Sub-Assistant Surgeon—who do not know a word of English, but who have passed successfully and are doing useful work. Of course we have to import into the vernacular certain English terms. With these remarks, I beg to give my most hearty support to the Resolution.”

**The Hon’ble Dr. M. N. Banerjee:**—“Sir, I am pleased to find that Hon’ble Members have all spoken in support of my Resolution, with the exception of one, Mr. Achariar. With regard to what Mr. Achariar has said, I should like to say one or two words. I think it is rather late in the day to question whether medicine can be taught in the vernaculars, because it is an actual fact that, in Bengal at least, it was being taught for over half a century. As I said in my speech, in 1852, vernacular classes were started in the Calcutta Medical College. And until 4 or 5 years ago medicine was being taught in the vernacular languages, and the students who passed out of those vernacular schools were the hospital assistants who have been very serviceable not only to Government, but also to the people at large. They were the regular doctors in rural areas and in villages. So that we have not to go on theories, but on what is an established fact. As regards the medical literature, I can say this, that an application was made to the Government of Bengal by the ‘Bangiya Sahitya Parishad’ praying that teaching of medicine in vernaculars be not done away with. It was about a year ago, and the Government sent this for consideration to the State Medical Faculty of which I am a member. I took with me medical books in Bengali in all the subjects and showed them to the members of the Faculty. The books were good, and the illustrations in some of them were exceptionally good and attracted the attention of the members. One member thought that the only disqualification was, that the illustrations were from German plates. The question was

[ 9TH MARCH, 1916 ]

[ *Dr. M. N. Banerjee* ]

discussed and the outcome of the discussion was that Dr. S. P. Sarbadhikari and myself, who were for reverting to vernacular teaching in the schools, were outvoted by the majority of officials, but not on the ground that there are no books in the vernacular.

“ Then as regards Mr. Achariar’s statement that the passed students of the lower standard schools would add to the mortality, I can assure him that they would reduce the mortality by nearly 50 per cent., from my experience of the students of the vernacular schools elsewhere and at the institution at which I have been teaching for the last 25 years, I can tell him that even if they do not reduce it by 50 per cent., they would reduce it materially. I will remind Mr. Achariar of a proverb which we have in Bengal that ‘ a blind uncle is better than no uncle. ’ One would like to have, when ill, a doctor who, though not highly qualified, will serve his purpose than to have no doctor at all.

“ I am very grateful to Sir Pardey Lukis for having accepted my Resolution with certain reservations. As regards the reservation about the lowering of the standard in existing institutions, I think he is right, because it appears that there is need for all those institutions, which have assumed a higher standard of education. As regards control and inspection by Government, of course that is quite essential. Otherwise, there will be one standard for one school and another for another school, as we have at present in the existing private institutions, and there will be great confusion. The standard of medical education of the proposed institutions should be uniform, and Government ought to be responsible for maintaining that standard. But as regards the condition which he imposes that those passed students should not be allowed to practise in urban areas, I think it is undesirable and very difficult of application. For, when the law allows any quack to practise in towns, why should a trained man be disallowed by law from practising in town areas. I think it will go against the success of the whole scheme. I hope Sir Pardey Lukis will reconsider the matter. As for the other restrictions I accept them without any reservation ; and I express my thanks to Government for having accepted this Resolution.”

The Resolution was put and accepted.

The Council adjourned to Wednesday, the 15th March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,  
Legislative Department.*

DELHI :

*The 17th March, 1916.*



## APPENDIX A.

(Referred to in Answer to Question 1.)

Statement showing the number of elected members as compared with the total number in the Municipalities and the District Boards of the different Provinces of India from 1910-11 to 1914-15.

Province.	Year.	NUMBER OF MEMBERS.			
		MUNICIPALITIES.		DISTRICT BOARDS.	
		Elected.	Total.	Elected.	Total.
Madras . . . . .	1910-11	466	940	314	696
	1911-12	449	896	359	765
	1912-13	490	947	356	770
	1913-14	492	961	354	772
	1914-15	504	980	362	779
Bombay . . . . .	1910-11	897	2,133	243	544
	1911-12	913	2,130	242	544
	1912-13	949	2,151	243	546
	1913-14	963	2,166	246	554
	1914-15	(a) ...	...	...	...
Bengal . . . . .	1910-11	837	1,506	207	509
	1911-12	861	1,513	210	509
	1912-13	880	1,523	211	509
	1913-14	887	1,526	209	509
	1914-15	886	1,526	213	513
United Provinces . . . . .	1910-11	898	1,175	617	892
	1911-12	900	1,185	619	893
	1912-13	900	1,196	613	895
	1913-14	877	1,181	624	897
	1914-15	855	1,147	630	922
Punjab . . . . .	1910-11	572	1,220	364	1,123
	1911-12	566	1,224	392	1,117
	1912-13	541	1,162	383	1,101
	1913-14	543	1,179	387	1,124
	1914-15	549	1,174	349	1,114
Burma (b) . . . . .	1910-11	85	571	...	...
	1911-12	96	570	...	...
	1912-13	97	570	...	...
	1913-14	97	560	...	...
	1914-15	99	561	...	...

(a) Figures not yet available.

(b) There are no District or Local Boards in Burma.

*Statement showing the number of elected members as compared with the total number in the Municipalities and the District Boards of the different Provinces of India from 1910-11 to 1914-15.*

Province.	Year.	NUMBER OF MEMBERS.			
		MUNICIPALITIES.		DISTRICT BOARDS.	
		Elected.	Total.	Elected.	Total.
Bihar and Orissa . . . . .	1910-11	362	771	149	388
	1911-12	408	776	149	391
	1912-13	485	793	147	390
	1913-14	469	772	147	390
	1914-15	471	775	151	390
Central Provinces and Berar . . . . .	1910-11	478	758	371	509
	1911-12	480	758	377	517
	1912-13	481	759	377	517
	1913-14	483	762	379	520
	1914-15	483	764	381	521
Assam . . . . .	1910-11	56	167	177	316
	1911-12	56	167	176	316
	1912-13	60	167	180	316
	1913-14	62	197	184	318
	1914-15	68	211	184	318
North-West Frontier Province . . . . .	1910-11	...	130	...	218
	1911-12	...	116	...	218
	1912-13	...	118	...	218
	1913-14	...	119	...	219
	1914-15	...	119	...	219
Coorg . . . . .	1910-11	7	53	2	18
	1911-12	9	51	2	18
	1912-13	9	50	2	19
	1913-14	8	50	2	19
	1914-15	8	56	2	19

## APPENDIX B.

*(Referred to in Answer to Question 4.)*

*Memorandum of measures taken by the Railway Board since 1905 to promote the comfort and convenience of Intermediate and 3rd class passengers.*

Immediately after assuming charge of their office in 1905 the Railway Board issued a special letter to all the principal railway administrations calling their attention to the desirability of making early provision in respect of the following matters :—

- (a) Facilities for passengers to obtain their tickets a longer time before the departure of the trains by which they intend to travel.
- (b) Facilities for examining the tickets of 3rd class passengers, both at terminal and roadside stations, to enable them to have ready access to the proper platforms and take their seats without the crush which is liable to occur.
- (c) Adequate sitting accommodation for 3rd class passengers in carriages so as to prevent the overcrowding of trains.

The Consulting Engineers were asked to watch the progress made by railways under their control in regard to the provision of the several facilities, and the reports received indicated that a great deal had been done to give effect to the wishes of the Railway Board.

Section 62 of the Railways Act gives Government power to require any railway administration to provide and maintain in proper order, in any train worked by it which carries passengers, such sufficient means of communication between passengers, and the railway servants in charge of the train as they approve. Special action was taken by the Railway Board in 1906 to ensure that wherever practicable such means of communication should be provided. Appendix 20 of the Administration Report for the year 1914-15 shows for each of the more important systems the number of mail, passenger and mixed trains which had been so fitted up to the 31st March 1915 and the total number of trains run. Instructions have also been issued by the Railway Board for the fixing of a notice in each carriage indicating the method of using the means of intercommunication provided.

The Railway Board have issued orders directing that boards should be attached to the outside of each compartment reserved for women indicating, in English and the vernacular of the districts in which the carriage is run, that these compartments are for women only. A suggestion has recently been made that a figure of a woman painted on the doors of carriages reserved for women would prove of advantage as an indication to illiterate women of the carriages which have been specially reserved for them. Experiments are at present being made on the North Western Railway to ascertain whether this method of distinguishing women's reserved compartments will serve a useful purpose.

Another matter which has engaged the attention of the Railway Board is the improvement of the supply of refreshments for Indian passengers. Special enquiries were undertaken by the Board to ascertain the nature and efficiency of the arrangements made by various railways for the inspection of licensed refreshment vendors. The practice of railway administrations is not uniform, but in each case means have been adopted for inspecting the wares offered for sale by these vendors, and for ensuring, so far as possible, that they shall be clean and wholesome.

Some years ago the Madras and Southern Mahratta Railway Company introduced special cars fitted with conveniences for the sale of refreshments for Indian passengers and accommodation for washing before taking food in accordance with caste requirements. These carriages are run on all important mail and passenger trains on the system. The Railway Board brought this to the notice of all the principal railway administrations, supplying them with

a note showing in detail the arrangements made by the Madras and Southern Mahratta Railway. As a result, several of the more important administrations have experimented with the running of dining cars for Indian passengers. The experiment, owing it is understood to the caste prejudice of passengers, has proved a failure on the East Indian, Bengal Nagpur, and Eastern Bengal Railways. In the Punjab, on the other hand, it has proved eminently successful, and the North Western Railway propose to build a number of refreshment cars for Indian passengers. At present the Railway Board are in communication with railway administrations regarding the further improvement of the arrangements made for supplying refreshments to Hindu and Mahomedan passengers.

In 1909 the Railway Board, as an experimental measure, authorised the appointment on the North Western and Oudh and Rohilkhand Railways of a number of officials of a new class designated "Passenger Superintendents." These officers were recruited from among retired Indian officers of the Indian Army. They were given a distinctive uniform and placed under the charge of a special officer of the Traffic Department. Their duties were—

- (i) to attend to the complaints of the humbler class of passengers and to assist them to find room in trains by directing them to carriages where accommodation was available;
- (ii) to supervise the supply of refreshments by platform vendors, and generally to do what is in their power to secure the greater comfort and convenience of passengers at railway stations.

The experiments having proved successful, the appointment of these Passenger Superintendents has become permanent on the railways on which they were first introduced and similar appointments have been created on several other railways.

It is impossible to give in detail a statement of all the works which have been carried out during the last decade with a view to increasing the comfort and convenience of 3rd class passengers, but it may be stated that a great deal has been done in the following general directions:—

- (i) The construction of enlarged and improved waiting shed accommodation.
- (ii) The substitution of high for low level platforms at the more important passenger stations.
- (iii) The substitution of new and improved 3rd class passenger carriages generally of the bogie type and of the same dimensions as those used for passengers of the higher classes. These modern carriages are fitted with latrines, upper berths and racks, while the roofs are of improved design with greater heat-resisting properties.
- (iv) The provision of passenger instead of mixed trains on all the more important routes and the introduction of 3rd class express trains running at practically the same speed as mail trains.
- (v) The introduction of improved lighting, mainly electric, in 3rd and intermediate class carriages.
- (vi) The improvement of the arrangements made on special occasions at places of pilgrimage or fairs. Of what has been done in this direction, the account recently communicated to the press, of the arrangements made by the Oudh and Rohilkhand Railway on the occasion of the Kumbh Mela at Hardwar in April last, is an indication.

Any further improvement in the immediate future in the direction of the provision of more 3rd class accommodation is at present rendered extremely difficult, apart from the necessity for economy imposed upon railways by the war, on account of the impracticability of obtaining raw material required for the building of coaching vehicles. What is possible will, however, be done during 1916-17 by the rebuilding of obsolete stock.

The Railway Board have recently arranged for a special census of the actual number of passengers in each train daily on the routes regarding which

there have been most complaints of overcrowding. The reports received show that, though there has undoubtedly been serious overcrowding on occasions, overcrowding is the exception even on these routes specially selected for examination on account of complaints received.

The results are at present being examined by the Railway Board with a view to seeing whether by any re-arrangement of train service the overcrowding can be reduced. A special report has recently been received on the conveyance of pilgrim traffic, and is now under the consideration of the Railway Board. They propose to adopt immediately such of the recommendations contained in this report as are found on enquiry to be practicable.





GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

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The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Wednesday, the 15th March, 1916

PRESENT :

The Hon'ble Sir WILLIAM CLARK, K.C.S.I., C.M.G., *Vice-President, presiding,*  
and 52 Members, of whom 46 were Additional Members.

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**QUESTIONS AND ANSWERS.**

**The Hon'ble Mr. Surendra Nath Banerjee** asked :—

1. “(a) Will the Government be pleased to lay on the table reports for the last five years showing the population and the death-rate from malaria, plague and cholera, province by province, in India for each year ?”

Death-rate  
from mala-  
ria, plague  
and  
cholera.

(b) Do the Government propose to direct that such reports should be published, in future, year by year ?”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“(a) A statement \* giving the required information has been compiled from the annual reports of Provincial Sanitary Commissioners and is placed on the table. No separate figures are available for malaria, which is included under the head ‘fevers.’

(b) The information is already published annually in the reports of Provincial Sanitary Commissioners.”

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\* *Vide* Appendix A.

[ *Mr. Surendra Nath Banerjee ; Sir C. Sankaran Nair ; Mr. Rama Rayaningar ; Sir Reginald Craddock.* ] [ 15TH MARCH, 1916 ]

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ Will the Hon'ble Member be good enough to issue instructions to show the mortality figures from malaria under a separate and distinct head. This is most important for our purposes ? ”

**The Hon'ble Sir C. Sankaran Nair :—**“ I shall consider the matter.”

**The Hon'ble Mr. Surendra Nath Banerjee asked :—**

Resolutions  
and Des-  
patches on  
the subject  
of Local  
Self-Gov-  
ernment.

2. “ (1) Have any Resolutions and Despatches on the subject of Local Self-Government been issued by the Secretary of State for India since the Report of the Decentralisation Commission ?

(2) If so, will the Government be pleased to lay on the table all such Resolutions and Despatches ? ”

**The Hon'ble Sir C. Sankaran Nair replied :—**

“ (1) No Resolution has been issued by the Secretary of State, but two Despatches have been received from him on the general proposals of the Government of India on Rural Boards and Municipalities (Chapters XIX and XX of the Decentralisation Commission's report)

(2) A copy of these despatches \* is laid on the table.”

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ Have all the Despatches received from the Secretary of State with reference to this matter been made public ? ”

**The Hon'ble Sir C. Sankaran Nair :—**“ Only two have been brought to my notice, and they have been laid on the table.”

**The Hon'ble Mr. Rama Rayaningar asked :—**

Transfer of  
certain  
districts  
from  
Madras  
Presidency  
to Bihar  
and Orissa.

3. “ (a) Has it been brought to the notice of the Government of India that there is a strong and widespread desire among the Uriya-speaking people of the Ganjam District and the Agency Tracts of the Madras Presidency for the partition of these areas into two Districts—one Uriya and the other Telugu—and for the transfer of the Uriya District so formed to Orissa ?

(b) If so, do Government propose to consider the desirability of taking early steps for the partition and transfer referred to ? ”

**The Hon'ble Sir Reginald Craddock replied :—**

“ (a) In 1912, memorials were received from certain inhabitants of the Ganjam District and the Vizagapatam Agency Tracts requesting the transfer of the Uriya-speaking portions of the Madras Presidency to the Province of Bihar and Orissa

(b) The Government of India then intimated that they did not regard the change, to which the Madras Government was opposed, as either desirable or necessary, and they now see no reason to depart from that decision.”

**The Hon'ble Mr. Rama Rayaningar :—**“ Anent the answer given to question 3 (b), may I ask as a supplementary question whether Government will be pleased to consider the desirability of forming the Uriya-speaking portions of Ganjam and the Agency Tracts into a separate district ? ”

**The Hon'ble Sir Reginald Craddock :—**“ The matter of creating a new Uriya District in Madras is one which it is primarily for the Government of Madras to consider and move. ”

[15TH MARCH, 1916.]

[*Mr. Rama Rayaningar; Sir Reginald Craddock;  
Khan Bahadur Mir Asad Ali Khan; Sir R.  
W. Gillan*]

**The Hon'ble Mr. Rama Rayaningar asked :—**

4. ‘(a) Will Government be pleased to state the number of applications for gun and revolver licenses under the Indian Arms Act, the number of such applications allowed and the number rejected during each of the past twelve years?’ Licenses granted under the Arms Act.

(b) Do Government propose to consider the advisability of modifying the Indian Arms Act to suit local conditions, and of providing for the freer issue of such licenses, and the exemption from the operation of the Act of members of Municipalities, District and Taluq Boards, and of other persons of recognized position under proper safeguards?’

**The Hon'ble Sir Reginald Craddock replied :—**

“(a) Licenses under the Arms Act are granted by numerous authorities, and to collect the information desired would necessitate detailed inquiries which are considered disproportionate to any advantage which might be gained by the compilation of the statistics.

(b) Licenses under the Act can already be freely granted at the discretion of the licensing authorities, should the circumstances render this desirable, while the list of exempted persons is already so detailed that, unless on very strong grounds, Government are averse from adding to its complications. Incidentally it may be mentioned that members of Municipal Boards or Committees, to whom among others the Hon'ble Member refers, are already to be found in item 15 of Schedule I”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan asked :—**

5. “(a) Has it been brought to the notice of Government that third-class passengers on the South Indian and Madras and Southern Mahratta Railways really undergo hardships which are chiefly due to overcrowding in trains?” Inquiry regarding the hardships felt by third class passengers.

(b) If so, do Government propose to cause an inquiry to be made regarding such hardships?

(c) Have any steps been taken to prevent overcrowding in trains, especially in mail trains, on those Railways?”

**The Hon'ble Sir R. W. Gillan replied :—**

“(a) The Railway Board have, from time to time, noticed complaints on this subject in the public press.

(b and c) They accordingly instituted inquiries as to the extent and cause of the alleged hardships and the best means of remedying them. They find that the Railway Administrations concerned are fully alive to the desirability of removing all causes of reasonable complaint, and that special orders have been issued with a view to prevent overcrowding. These orders are mainly directed towards providing suitable and convenient train services, limiting the amount of booking to the capacity of trains, providing additional trains when required, and making special arrangements for festivals. The result of the inquiries so far is to show that, while overcrowding has occurred at times on particular sections, it is by no means general, but the matter continues to receive the special attention of the Railway Board, and they have instructed all Senior Government Inspectors of Railways to report upon cases of overcrowding that come to their notice.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan asked :—**

6. “Will Government be pleased to state whether service pensioners (including Military pensioners) are liable to pay a profession tax in any of the Indian Municipalities, and, if so, to state the names of such Municipalities as well as the number of persons so taxed, together with the amount of taxation?” Pensioners and Profession tax.

[ *Sir C. Sankaran Nair ; Khan Bahadur Mir Asad Ali Khan ; Major-General Holloway ; Rai Ghanasyam Barua Bahadur.* ] [ 15TH MARCH, 1916. ]

**The Hon'ble Sir C. Sankaran Nair** replied :—

“ Under the Madras District Municipalities Act, 1884 (IV of 1884), a person in receipt of a pension paid from any source is liable under sections 47 (1) and 53 (including the Explanation) to pay the tax on arts, professions, trades and callings and on offices or appointments.

No similar specific provision exists in any other Municipal Act in India.

The number of Municipalities in the Madras Presidency in which the profession tax was levied in 1914-15 is 63. Their names are given in statement II appended to the report for 1914-15 on the administration of District Municipalities in the Presidency. The Government of India have no information regarding the number of pensioners paying the tax nor the amount of such taxation, and the information could not be given without detailed examination of municipal registers.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

Enlistment  
of Maho-  
medans in  
the Indian  
Volunteer  
Force.

7. “ Will Government be pleased to state whether they propose to strengthen the Indian Volunteer Force by enlisting in it a fair proportion of Mahomedans ? ”

**The Hon'ble Major-General Holloway** replied :—

“ Under existing orders no separate companies or corps of Volunteers in which Indians only are enlisted are authorised. Individual Indians—irrespective of class—may be admitted into Volunteer Corps at the discretion of the Commanding Officer. No question of the proportion of Mahomedans in Volunteer Corps therefore arises in existing conditions.”

**The Hon'ble Rai Ghanasyam Barua Bahadur** asked :—

Disadvant-  
ages which  
the cattle  
owners of  
Delhi labour  
under.

8. “ (a) Is it a fact that cattle owners of Delhi are frequently subjected both to payment of pound fees and fines and to criminal prosecution for cattle straying into open fields in the notified area ? If so, is it a fact that the effects of these measures operate harshly on the people concerned ?

(b) Do Government propose to consider the advisability of the issue of grazing permits at fixed rates ? ”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“ (a) The area vested in the Committee of the Delhi Notified area, other than lands enclosed as playing grounds or gardens or as reserved forest, is very small, and the Committee have decided on sanitary and other grounds to allow no grazing therein. Cattle found grazing therein are impounded, and in some cases where the owners are believed to have intentionally grazed their cattle on such lands, prosecutions have been instituted. The Government are informed that the area affected being small, it is not likely that such measures can have operated harshly on cattle owners generally.

(b) It is not their intention to open it to grazing on fixed permits or otherwise, as a very considerable area of grazing ground has been provided on the other side of the river Jumna.”

**The Hon'ble Rai Ghanasyam Barua Bahadur** asked :—

Matricula-  
tion age-  
limit in the  
Calcutta  
University.

9. “ (a) With reference to the answer given by the Hon'ble Mr. Sharp on 17th March, 1915, to the Hon'ble Mr. Ghuznavi's question regarding the Matriculation age-limit in the Calcutta University, will Government be pleased to state whether any recommendation of the Senate for altering the wording of section 3, Chapter 30, of the University Regulations has since come officially before the Government ?

(b) If the answer is in the affirmative, will Government state what action they propose to take ? ”

[15TH MARCH, 1916.] [ *Sir C. Sankaran Nair ; Sir Gangadhar Chitnavis ; Sir R. W. Gillan ; Mr. Dadabhoy ; Sir William Meyer.* ]

**The Hon'ble Sir C. Sankaran Na** replied :—

“(a) The reply is in the affirmative.

(b) The Government have postponed for the present consideration of the recommendation in question.”

**The Hon'ble Sir Gangadhar Chitnavis** asked :—

10. “(a) Has the attention of Government been drawn to any serious complaints by merchants that they find it very difficult to have their goods booked and carried by railway without delay, and that the delay, causes them great loss ? System for serial entry and loading of goods on Railways.

(b) With reference to the reply given in the Council on the 5th March, 1913, to my question on the subject—

(i) has the new system for serial entry and loading of goods had a fair trial on the Great Indian Peninsula Railway ? and

(ii) has a conference of trade and railway representatives been held to consider whether the system has proved a sound one, and, if so, have any modifications in any specific direction been found desirable in the system ?

(c) Is it proposed to adopt the system for general use on all Railways ? ”

**The Hon'ble Sir R. W. Gillan** replied :—

“(a) Owing to the diversion to rail routes of large quantities of coal and other traffic there has recently been great difficulty in handling the volume of traffic offering on certain routes. Complaints as to delay in despatch and transit have consequently been received.

(b) (i) The new system for the serial entry and loading of goods adopted by the Great Indian Peninsula Railway in 1912 has now had a fair trial, and has proved so well suited to the circumstances of that line that no reason has been found to modify it.

(ii) In these circumstances no conference of the trade and Railway representatives has been held to consider it.

(c) The question of adopting this system on all Railways was considered in February 1914. It was held that the methods employed on different railways for securing the serial loading of goods were probably best suited to the trade conditions in the part of the country in which each railway operates. As no complaints had been received from traders regarding the system adopted on any railway other than the Great Indian Peninsula Railway, it was decided not to move further in the direction of adopting the new method on all railways. This decision was communicated to the Secretary of the Indian Merchants' Chamber and Bureau, Bombay, who had made an inquiry on the subject.”

**The Hon'ble Mr. Dadabhoy** asked :—

11. “With reference to the Hon'ble Finance Member's statement on the 1st March ‘that the termination of the war, when it comes, will leave us with heavy financial demands upon us,’ will Government be pleased to say whether the statement referred to anticipated heavy expenditure connected with the internal administration of the country, or with the military operations of His Majesty's Government ? If it referred to expenditure connected with the military operations of His Majesty's Government, will Government be pleased to indicate the nature of the liabilities ? ” Anticipated expenditure in connection with the military operations of His Majesty's Government.

**The Hon'ble Sir William Meyer** replied :—

“The heavy financial demands to which I referred are those which I proceeded to describe in the remainder of the passage from which the Hon'ble

[ *Mr Dadabhoy ; Sir William Meyer.* ]

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Mr Dadabhoy has quoted, *i.e.*, paragraph 32 of my speech introducing the Financial Statement."

**The Hon'ble Mr. Dadabhoy** asked :—

Budget provision of the year 1916-17 for the discharge of short-term sterling India Bills.

12. " With reference to the provision in the Budget of the coming year of one-half million pounds sterling for discharge of some of our short-term sterling India Bills with a view to help ' the Home Government in maintaining a grip over the London money-market,' will Government be pleased to state if the decision to make such provision has been come to in consultation with the Secretary of State for India, and, if so, to lay on the table the correspondence on the subject, between the Government of India and the Secretary of State for India in Council ? "

**The Hon'ble Sir William Meyer** replied :—

" If the Hon'ble Member will reperuse paragraphs 70 and 71 of my speech introducing the Financial Statement, he will see that the sum of half a million pounds which he has mentioned related to the discharge of a compulsory obligation, *i.e.*, bonds issued in connection with the purchase of the Indian Midland Railway which fall due in the current year. The transaction in regard to which I said that we ought to give some little help to the Home Government in maintaining a grip over the London money-market, and incidentally relieve ourselves of some interest charges, related to the repayment of £1½ million out of the short-term sterling India Bills, aggregating £7 million, which the Secretary of State raised in 1914-15. This matter was of course settled in consultation with the Secretary of State, whose approval is always taken to all our important Budget proposals. There are no special papers which could be laid on the table."

**The Hon'ble Mr. Dadabhoy** asked .—

Military expenditure.

13. " With reference to the excess military expenditure of £940,000 over the Budget anticipation of the current year alluded to in clauses (1) and (2) of paragraph 14 of the Hon'ble Finance Member's speech of 1st March, will Government be pleased to lay on the table the correspondence on the subject between this Government and the Secretary of State for India in Council ? "

**The Hon'ble Sir William Meyer** replied :—

" I do not think that any useful purpose would be served by laying these papers on the table. I am glad, however, to have this opportunity of explaining the position more fully, as perhaps it is not always understood. The extent to which India is permitted to meet charges which would otherwise fall upon the Home Government is defined and peremptorily limited, by the Resolutions on the subject in the two Houses of Parliament, which lay down broadly (the principle) that India is to meet the normal cost of the troops despatched from her shores. An admitted corollary to this principle is that India should make no saving out of the fact that some of her troops are not at present serving in this country, and that the normal sea-transport service has been temporarily suspended.

The detailed application of the general principle in question to the manifold classes and details of expenditure involved has been a matter of great complexity. There is no question of any controversy as between the Home Government and the Government of India. But since India's authority to incur this expenditure at all is limited, the legitimacy of any proposed charge must, as it were, be strictly audited against the Parliamentary sanction above referred to, and there have thus been many points of friendly discussion. Our own attitude has been throughout that in this matter we wish to throw upon the Home Government only those charges which, in the view of our Auditor General, we are not competent to bear under the terms of the Parliamentary Resolutions."

[ 15TH MARCH, 1916.]

[*Mr. C. E. Low.*]**THE INDIAN PORTS (AMENDMENT) BILL.**

**The Hon'ble Mr. C. E. Low :—**“ Sir, I beg to move that the Report of the Select Committee on the Bill further to amend the Indian Ports Act, 1908, be taken into consideration. The Bill, as introduced, received very slight alteration in Select Committee.

“ In regard to the additional rule-making power conferred by clause 4, sub-clause (2), the Select Committee have amended the Bill so as to limit the vessels whose hire may be controlled by rule to passenger vessels, seeing that the hire of vessels carrying goods is a matter that may well be left to be regulated by the ordinary laws of supply and demand.

“ The Select Committee also inserted a provision in clause 7 requiring the Port authority to be consulted before the Local Government can exempt any vessel or class of vessels entering port from payment of port dues, and in clause 11, rendering Government liable for any damage to vessels taken up for examination practice in peace time.

“ With regard to the last named clause, I shall ask your leave to propose an amendment giving power to Government to make requisitions for vessels on Port authorities in times of emergency.

“ I beg to move that the Report be taken into consideration.”

The motion was put and agreed to.

**The Hon'ble Mr. C. E. Low :—**“ Sir, I beg to propose the following amendment—that in clause 11 of the Bill after the new section 68 (A), the following be inserted, namely :—

‘ 68 (B). Whenever the Governor General in Council is of opinion that an emergency has arisen which renders it necessary that the duties of the said authorities in an emergency. imposed, for the purposes specified in section 68(A) on the authorities therein mentioned or other duties of a like nature should be imposed on such authorities continuously during the existence of the emergency, he may by general or special order authorise any officer to require the said authorities to perform such duties until the Governor General in Council is of opinion that the emergency has passed, and the said authority shall comply accordingly, and the provisions of the said section shall apply subject to the following modification, namely :—

‘ The Government of India shall pay any authority on whom a requisition has been made such compensation for any loss or damage attributable to such requisition and for any services rendered or expenditure incurred in complying therewith as, in default of agreement, shall be decided to be just and reasonable, having regard to the circumstances of the case, by the arbitration of a person to be nominated in this behalf by the Governor General in Council, and the decision of such person shall be final.’

“ I may explain that clause 11 of the Bill is designed to make it compulsory on the Port authorities to provide vessels and personnel for the practice of the examination service of ships entering the port which is periodically carried out by the Military authorities in times of peace. The purpose of the actual examination in times of war is of course to ensure that no vessel is permitted to enter the harbour until the examining officers have assured themselves as to her nature. These periodical practices in times of peace, from the point of view of the Port authorities, are a comparatively small affair, and the Port authorities, with scarcely an exception, have willingly agreed to place the necessary crafts and personnel at the disposal of the Military authorities, receiving as compensation only what the Bill terms ‘running expenses’ which, however, will not include charges for the hire of the vessels and the wages of the officers and crew. In time of war, however, vessels have to be taken up for the examination services for long periods, a demand which is naturally a much more serious matter from the point of view of the Port authorities owing to the loss of the services of their vessels and probably extra expenses in respect of replacement. Government are far from desirous of relieving themselves of the proper responsibility for due compensation in such cases; in fact, during the present war, Government have been treating the

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vessels taken up in the same way as vessels taken by them for other services, such as transports and store ships, and paying for them accordingly. We propose therefore to insert an additional clause providing that, in times of emergency, the Port authorities shall be required to comply with the provisions laid down in clause 11 as it stands, *i e.*, the provisions laid down for times of peace until the emergency has passed, with the further modification that Government shall pay such compensation for any loss or damage attributable to the requisitioning of the vessels and for any services rendered or expenditure incurred in complying with the requisition as may be agreed upon, or in default of agreement, as shall be decided to be reasonable by an arbitrator nominated by Government. I may add that the additional clause has been referred for opinion to all the principal Port authorities in India, and has been unanimously accepted."

" I beg to move the amendment."

The motion was put and agreed to.

**The Hon'ble Mr. C. E. Low :—**" Sir, I beg to move that the Bill, as amended, be passed "

The motion was put and agreed to.

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**THE INDIAN MEDICAL (BOGUS DEGREES) BILL.**

**The Hon'ble Sir Pardey Lukis :—**" It is not necessary that I should address the Council at any length. It will be observed that there is practically only one note of dissent to the Report of the Select Committee, who have amended and modified the Bill in such a way as to go far towards meeting the criticisms that have been directed at it. We have removed the word 'Bogus' from the short title; we have reduced the amount of the fines for first offences and for members of an association controverting clause 4; we have inserted an important proviso in clause 6, excepting from its operation the use by people of titles which were in use by them at the commencement of the Act; and we have added two new clauses which provide against hasty or ill-judged prosecutions. I am also authorised to announce that, in the interests of the students of unrecognised institutions, the Government of India, by exercising the powers conferred in the latter portion of clause 3, will permit, during the next two years, the grant, by such institutions, of certificates of efficiency to those students who are registered as having completed their second year's tuition at the time of the passing of the Act. I trust that, with these modifications and amendments, the Council will be able to give their unanimous assent to the Bill. [I now move, Sir, that the Report of the Select Committee on the Bill to regulate the grant of titles implying qualifications in western medical science and the assumption and use by unqualified persons of such titles be taken into consideration".]

**The Hon'ble Dr. M. N. Banerjee :—**" Sir, it is evident from the papers before us that many people have no clear idea as to the scope and provisions of this Bill. We find Dr. Menon (L. R. C. P. and S., Edin.) of Bombay suggesting that—

' If, as a result of the Bill, persons trained in properly organised private institutions are to be prevented from practising, it is only proper and highly necessary that unqualified men and quacks should also be prevented from practising '

and then the Hon'ble Mr. Watson of the United Provinces thinking—

' That the Bill might more fully serve its object if it included a provision making it compulsory for all medical practitioners to register their degrees or qualifications at some central registration office which would grant certificates without which no persons should be permitted to practise in India.'

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[*Dr. M. N. Banerjee.*]

If a medical man with European qualifications sees provisions in the Bill against practising, and if an Hon'ble Member does not see that his proposal is not only outside the scope of the Bill, but is impracticable as even in England the law does not prevent anybody from practising, we need not wonder at the confusion of ideas and the conflicting opinions which prevail in the matter.

"I think it should be clearly understood that this Bill does not interfere with the liberty of anyone to practise, but intends only to protect the diplomas. The diplomas (by this word I mean all that goes with it in the Bill) are to be given only by authorised bodies, and not by any body or any association as at present. Any unauthorised body or association granting a diploma will be penalised.

"Representing as I do the unofficial medical profession and the private medical schools, I will state my views as to how the interests I represent will be affected by this Bill.

"I do not think any medical man can take exception to the principle of the Bill. The diplomas used by the passed students of the private medical institutions are so similar to those given by authorised bodies mentioned in the Schedule, that it is often difficult for medical men, not to speak of laymen, to ascertain which is which. But with the protection given by this Bill, the diplomas will have an enhanced face-value, which will elevate the members of the profession holding them in the estimation of the public. And nothing can be more desirable in the interests both of the public and of the profession. Besides, it seems to me to be wrong in principle and fraught with danger in practice to allow any private individual or association to grant diplomas. For there are no safeguards against any sinister influences prevailing with irresponsible persons.

"To understand the effect of the Bill on the private medical schools, it is necessary to know their previous history. The Hon'ble Sir Pardey Lukis has informed us that there are only four private medical institutions in all India, and that they are in Calcutta. The oldest of them, the Belgatchia institution, was started about a quarter of a century ago, and the others within the last 15 years. They came into existence to supply a demand for more medical education and more medical men in the country, and also to furnish a field for practical work for the unofficial medical men. During the last 20 years they have passed out no less than 4,000 trained men who have been useful as country practitioners and as medical assistants in the various services. Most of these passed students are of the school standard, some being of the college standard also. All the institutions depended, for their maintenance, mainly on the fees collected from their students, the contributions from the public being neither reliable nor considerable. If it were not for the fact that all the Physicians and Surgeons and most of the lecturers render their services without remuneration, it would have been impossible to maintain them. I have often wondered that the Government never thought seriously of utilising the services of these self-sacrificing men.

"That the institutions have so far served the purposes for which they were started, and that they have done their work to the best of their resources and ability, cannot be disputed. But circumstances have changed. Since the passing of the local Medical Registration Acts a new state of affairs came into existence. Those institutions which had done good work so long with the tacit consent of the Government, and with open encouragement from high officials, were now declared as unrecognised institutions, and their passed students were disqualified from signing certificates, giving medical evidence in law courts and holding public appointments and also appointments in private industries, such as jute, tea, shipping and mining, etc. The schools did not know where they were, nor were the students anxious to enter them, mindful of the fate that overtook their predecessors.

"I cannot help thinking that if half the energy that has been spent against this necessary and inoffensive Bill had been directed against the Medical Registration Act, the sad end of two of the four medical schools in Calcutta might have been averted, and the families of disqualified men suddenly

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thrown out of employment would have been saved from the troubles and tribulations which overwhelmed them. However, facts must be taken as they are. One of the private schools has already ceased to exist, and another is, I understand, going to wind up in April next. Of the two remaining, one, I mean Belgatchia, had the good fortune to secure Government help, and has just been affiliated to the University. The other one, I understand, will also be helped to affiliate itself to the State Medical Faculty.

“What then is the effect of this Bill on the private medical schools? The answer must be *nil*. For the two schools which might have been affected have ceased to exist, not for this Bill but through the operations of the Medical Registration Act passed in the local Council. So it seems to me that those who are fighting against this Bill woke up to their senses when the thief had left and are now fighting a shadow.

“The graduates of the private medical colleges in Calcutta have sent a representation for the consideration of this Council, but the proviso added to clause 6 by the Select Committee will satisfy them. And as for the students that are already in the schools, a provision has also been made by which they will pass out with certificates of efficiency during the next two years. One of the schools requires and asks for this concession for three years. If the Government can see their way to grant this, all parties will be satisfied.

“Much of the opposition to this Bill has been raised on the ground of insufficient supply of medical men in the country. From conversations which I have had with some leading men, I have come to know that the opposition was largely based upon a misconception of facts. When I asked a gentleman, who presided at one of the biggest Calcutta meetings, how he thought two private medical schools in Calcutta which could pass out only 100 students a year could supply the medical needs of all India, he was surprised and confessed that things were differently represented to him. Many have an idea that there are many private institutions all over India, and they are able to supply a number of medical men. Now, with the facts that have already been stated and taking also into consideration the difficulty of maintaining large hospitals in this country, the only way to supply a sufficient number of trained medical men is what I put forward in my Resolution at the last meeting of the Council, and which I am happy to say has been accepted by Government. When that scheme is carried into effect, I expect numbers of Government and private vernacular medical schools will spring up in every province in India, and supply to a very large extent the medical needs of the country.”

**The Hon'ble Sir Gangadhar Chitnavis :—**“Sir, the Bill as it has emerged from the Select Committee stands shorn of many of its objectionable features. I am glad the clause purporting to give retrospective effect to the proposed law has been eliminated, and other changes have been made with a view to avoid causing hardship to the present body of the students of the unauthorised institutions. We must be thankful to the Hon'ble Sir Pardey Lukis and the Hon'ble the Home Member for the concessions. It is a good thing that this legislation has been undertaken before the retirement from the service of an officer of the large local knowledge and sympathies of Sir Pardey Lukis. We cannot fail to recognise his benevolent intentions, and to realise that his sympathy for the medical graduates lies at the root of this legislation. Opinion may be divided about its effects, but the acceptance by Government of the Hon'ble Dr. M. N. Banerjee's Resolution recommending the adoption of measures for the diffusion of sound medical knowledge through the vernaculars for the relief of the rural population, if followed by practical results, will induce the people to accept the law without hesitation or objection. I am glad that the Hon'ble Dr. M. N. Banerjee has told us that the Bill will not prejudicially affect a large number of existing institutions. I, however, hope that, as a further supplementary and precautionary measure, adequate financial aid will be given by Government to the private medical institutions, if any, that may be threatened with extinction, and that they will in due course be affiliated to the Universities, and will serve

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[ *Mr. Dadabhoy ; The Vice-President ; Rai Ghanasyam Barua Bahadur.* ]

as useful centres for the impartation of medical instruction in the interests of the public.

“ In view of these facts, I beg to support the motion.”

**The Hon'ble Mr. Dadabhoy :—**“ Sir, I am quite in agreement with what has fallen from my Hon'ble friend Sir Gangadhar Chitnavis, and I rise to congratulate the Hon'ble Surgeon-General Sir Pardey Lukis on the amendments which have been incorporated in this Bill. There is no man who is more considerate and more sympathetic in the Indian Medical Services than Sir Pardey Lukis. I was also quite confident that he would respect public opinion, and make such modifications in the Bill as would lead to its popular reception. The Bill has emerged from the Select Committee very much improved, and great credit is due for this to Government, as well as to Sir Pardey Lukis. It would have been somewhat difficult to support the Bill as it stood, but, as my friend the Hon'ble Sir Gangadhar Chitnavis has remarked, most, if not all, objectionable features have now been removed from it. I am glad that important provisions have also been made in the Bill so as to bring it into line with Indian medical opinion. The amount of fine originally intended to impose was very severe, but the rigour of that has been removed by putting it on the same basis as in the English Act. The provision as regards the trial of cases before a first-class magistrate, and the provision that ‘no Court shall take cognizance of an offence punishable under this Act, except upon complaint made by order of the Local Government, or upon complaint made with the previous sanction of the Local Government,’ introduce very useful and desirable changes into the Bill. As the Bill now stands, I have no doubt it will disarm popular objection. When properly understood, no serious objections will be taken to its provisions.

“ Before I sit down I appeal to the Hon'ble Surgeon-General Sir Pardey Lukis, and trust he will be good enough to accept the second amendment which the Hon'ble Mr. Banerji is going to propose. Just now, in announcing his scheme, he expressed his practical agreement with the amendment which will be presently proposed by the Hon'ble Mr. Banerji. I understood him to say— ”.

**The Hon'ble the Vice-President :—**“ Order, order. The Hon'ble Member cannot speak on an amendment till it has been moved.”

**The Hon'ble Mr. Dadabhoy :—**“ With these words at present, I shall support the Bill.”

**The Hon'ble Rai Ghanasyam Barua Bahadur :—**“ Sir, I am glad to find that the Bill, as amended by the Select Committee, has met with almost unanimous approval, and I hope that the whole country will now receive it with a free heart. I feel sure that, when its principle is understood better, it will be found by all concerned that the misapprehensions about it to the effect that it was meant to strike a blow at the private medical institutions were thoroughly unfounded. The object of the Bill really is to bring all private institutions up to a proper standard of efficiency and some common standard. While passed graduates and certificate holders of these institutions have been sufficiently protected by the amendments and additions made by the Select Committee, suitable provisions have also been made to guard against improper prosecutions and the trial of offences by inexperienced magistrates, the objections against the amounts of fine have also been given due consideration. The interests of the students now undergoing their courses in these institutions have also not been lost sight of. In fact, the amendments and additions made by the Select Committee have met all the objections that were put forward, save and except that against the principle of the Bill. The principle of the Bill seems to me to be very sound, and when it is properly understood by my countrymen outside this Chamber, I hope they will see their way to accept the Bill without any misgivings.

[*Rai Ghanasyam Barua Bahadur ; Mr. Abbott ; Pandit Madan Mohan Malaviya ; The Vice-President.*] [15TH MARCH, 1916.]

"From what has fallen from the Hon'ble Dr. Banerji, I understand that one of the institutions seems to feel aggrieved at not getting one year's more extension of time, and in the case of that institution they desire another year's extension for such of their students as have completed their first year's course now and gone to the second year class, so that they may have an opportunity of trying their chance of getting their final certificates. When Government have made all the other concessions that the people wanted, I hope this concession will not be too much for them to grant also. It will not in any way prejudice the principle of the Bill, and will only add to the concessions which have already been made in deference to public opinion or private interests. I hope the Government will be pleased to give their best consideration to this appeal.

"I also beg to submit that, since the Medical Registration Bills of the Provincial Governments have at present excluded from recognition practitioners with qualifications from private institutions, in view of the amendment that has been added to clause 6, I think Government should be pleased to consider the advisability of asking Local Governments to allow the same recognition to those practitioners as this Government has been pleased to do.

"With these remarks, I beg to support the motion."

**The Hon'ble Mr. Abbott:—**"Sir, I beg to give this Bill my whole-hearted support."

**The Hon'ble Pandit Madan Mohan Malaviya:—**"I ask, Sir, for a ruling in the first instance on a point of order as to whether I or any other member of this Council who feels it his duty to speak on the motion before the Council is entitled to deal with the Bill merely as it has emerged from Select Committee, or whether in doing so, in offering support to the principle of the Bill or to the Bill as it has emerged from the Select Committee, he can also, in anticipation, refer to the amendments which may be before the Council. I hope you will kindly hear me before you give your ruling."

**The Hon'ble the Vice President:—**"Certainly."

**The Hon'ble Pandit Madan Mohan Malaviya:—**"I submit, Sir, that it is impossible to give one's support to a measure like this without qualifications. On certain occasions a member feels that though he cannot give his unqualified support he can, while reserving his right to speak to the amendment when it comes on but yet referring to the amendment and referring also to the apprehensions that are entertained, support the Bill. I ask for a ruling on the point whether I or any other member will be entitled, in view of what I have submitted to you to speak of possible amendments to the Bill in speaking on this motion."

**The Hon'ble the Vice-President:—**"The Hon'ble Member, in speaking at this stage, is fully entitled to refer in general terms to such qualifications in his support to the Bill as emerge from the consideration of the Select Committee's Report. What he is not entitled to do, is to argue in detail on amendments which either he or any other member is going to move later."

**The Hon'ble Pandit Madan Mohan Malaviya:—**"Thank you, Sir. The Bill before the Council is a measure of some importance, and there are two opinions which have been expressed as to the necessity for the Bill. In the speech of the Hon'ble Surgeon-General we have heard that it is in the interests and convenience of the public that it has been thought necessary to introduce this Bill. That undoubtedly is the object of the Government, and it is from that point of view that the Bill ought to be judged.

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[ *Pandit Madan Mohan Malaviya.* ]

Now it seems to me that the situation in this country, so far as the facilities for medical relief are concerned, is not a satisfactory one. We are all aware—the Government more fully aware than any of us—that the number of qualified medical men who are available to the people is very small, smaller than the needs of the people require. The institutions which turn out qualified men to practise the profession of medicine are also very limited for a country like India, with a population of 315 millions. There are only five Universities at present which grant medical degrees, and it has again and again been brought to the notice of Government that the needs of the public are not satisfied by the number of graduates who are turned out from these institutions. Nothing more eloquent could be adduced in proof of this than the fact that the few institutions started in Calcutta attract such a large number of pupils from the Punjab, from Bombay and other provinces. The need, therefore, exists, and it has to be satisfied. If there is not a sufficient number of qualified men available, there must be some less qualified medical men, whose aid people will resort to. It is therefore that these institutions have grown up.

“ Now, in these circumstances, there are two ways in which the Government can deal with the situation. I submit that the preferable, the sounder, way was to create more medical colleges in order to afford greater facilities to students requiring medical training. That has unfortunately not been done. The course that has been followed is to prevent certain private institutions from conferring degrees, diplomas or titles upon students after putting them through a certain amount of training. With regard to the question whether men who are not competent should be allowed to practise, there can be no two opinions. But the Government have not thought fit, and I understand that even in England they have not thought fit, to prevent practice by men unless they have a certain standard of education. At any rate, so far as this country is concerned, we find that the Government does not propose to prevent anybody from practising the profession of medicine even though he may not have the smallest qualification. The course that has been followed is to afford protection to certain degrees so that people, who have not been through the prescribed institutions, should not be able to use those degrees after their names. Now, Sir, if it was proved that the use of these degrees really did make for the injury of the people, then there would be a good deal to support the Bill before us. But I desire to say that I am not satisfied yet that it has been proved that the evil, if it exists (I have no doubt it does exist when my Hon'ble friend says it does), has reached the stage when a Bill like this should be necessary. If, therefore, the Government is going to pass this Bill—and I am sure it is going to—all that I wish to say here is, that in two directions caution is necessary. In the first place, in dealing with these institutions which already exist, Government ought to come forward to co-operate with the people in multiplying the number of private institutions. More than one speaker has said that private institutions will suffer. My Hon'ble friend on my right—the Doctor—says that two schools have ceased to exist and there are two others. One of them, I understand, has received Government aid and the other is going to.

“ But what are the possibilities of private individuals coming forward to endow medical institutions? Is the tendency likely to be stimulated by the action which has been taken, or is it likely to be checked? I fear that, in future, the tendency to make endowments or to promote work for creating private institutions will be greatly checked by the action that has been taken. Well, in that view it becomes all the more necessary that the Government should come forward not only to add to the number of State institutions where medical education is given, but also to publish a scheme for affording State assistance to persons who are willing to start medical colleges and institutions to increase the number of qualified medical men who should be available to the country.

“ I hope, Sir, that this aspect of the case will be fully considered by the Government. My object is not to support the creation and circulation of bogus degrees. I do not wish that men who are not qualified should injure

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our fellow-men; but I do wish that there should be a larger number of men qualified who can serve our fellow-men, and I fear that that aspect of the case is less present to the mind of the Government, if I may say so, than the aspect of preventing the creation and circulation of false degrees. My main object in making these remarks is, that the other aspect may be more fully considered in its relation to the needs of the people."

The motion was put and agreed to.

**The Hon'ble Mr. C. Vijiaraghavachariar:—**"Sir, I beg to move that in clause 3 of the Bill, as amended by the Select Committee, the words 'certificates or other documents' be omitted; and in case it is carried, that the word 'or' be inserted between the words 'diplomas' and 'licenses'.

"The object of this amendment, Sir, is to confine the scope of this Bill to medical degrees, titles, diplomas and licenses, without prohibiting the issue of certificates or other documents implying or stating that the holders of them can practise western methods of medical science. I do not think I need detain the Council very long. I have already stated my views with reference to the principles and provisions of the Bill, and I do not think it necessary for me to go over the same ground again, except to traverse some statements made by one or two Hon'ble Members who have spoken before me.

"The Hon'ble Sir Pardey Lukis alluded to the fact that I am the only one who has recorded a dissenting minute. Then there is the Hon'ble Dr. Banerjee who stated that he represents non-official medical opinion—"

**The Hon'ble the Vice-President:—**"Order, order—I am very sorry to interrupt the Hon'ble Member, but he is moving an amendment and he can only speak on that. He must not refer to the general principles of the Bill. He ought to have spoken at the previous stage on the general question."

**The Hon'ble Mr. C. Vijiaraghavachariar:—**"I will only allude to this fact in so far as it is necessary for the amendment I am moving. All that I say is, that the fact that I am the only one differing from the Members of the Select Committee should not be used as an argument against me; and to that extent, and to that extent alone, I shall allude to this statement. Because, although of course it was only spoken upon the original motion, it is just likely that Hon'ble Members of this Council, who, after all, are human beings, it is just likely that the statement that I am the only one in recording a dissenting minute in Select Committee, might, very unconsciously no doubt, prejudice them against me as regards this amendment. Alluding to the support rendered to the Bill itself, I find that, if at all it is properly examined, there is a volume of opinion outside the Council in support of the view which I have put forward. At present I only ask for a qualification of this Bill. It is true I am not now opposing the motion itself. I believe I shall be in order if I allude to the statement of the Hon'ble Dr. Banerjee that he represents non-official medical opinion. It is a mournful satisfaction to me that the arithmetical value of his representation is exactly on a par with the arithmetical value of my dissenting minute as regards the Select Committee's Report. He stands in the glorious minority of one, as I do as regards the dissenting minute. The immediate object of my amendment is, that, I believe, needless hardship to private schools and even medical men will be caused by retaining the words in question. Whether we regard the Statement of Objects and Reasons or the speeches made by the Hon'ble Sir Pardey Lukis, the question of 'certificates or other documents' cannot at all properly come within the scope of the Act. The title of the Act is merely..... 'the grant of titles implying qualifications,' etc., the preamble says 'Whereas it is expedient to regulate the grant of titles implying qualifications,' etc., and the name of the Act itself is 'The Indian Medical Degrees

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[ *Mr. C. Vijiaraghavachariar ; Mr. Rama Rayaningar ; Dr. M. N. Banerjee ; Pandit Madan Mohan Malaviya* ]

Act.' In all these three places the question of 'certificate or other document' finds no place. But somehow these words have found their way into the provisions of sections 3 and 4 and one other section. Now, taking this provision on its own merits, I cannot understand the value of it. The object of the Bill is to prohibit certain degrees being conferred by unauthorised authorities, and to prevent persons from using them and posing as men of certain qualifications which they do not possess. It is to prevent people from practising under false pretences, and to prevent the public from being treated by men of inferior qualifications who pose as men of superior qualifications. But I cannot understand why this provision should be extended to 'certificates or other documents'. For example, a teacher who gives lessons to a boy writes a letter to a friend of his saying that he is a very clever boy. That letter would come within the definition of 'other document', and the professor is liable to be prosecuted for writing that letter. We are all allowed to issue certificates to our domestic servants, to our chauffeurs and our grooms. But a medical pupil is prevented from getting a certificate from his professor, and his professor is prevented from giving a certificate to his pupil. Again, if a professor writes, this woman is a good midwife and she was taught by me, he will be prosecuted under this Act. He can say it, but he cannot write it. The offence is in the writing. What is the principle involved in this, may I know? Why should a man be allowed to say what he cannot put down in writing? Is the Act intended to save pen and ink and paper? I am unable to see what the principle involved in this provision is. On the other hand, it is a perfect hardship. It is a trespass upon the private liberty of a man to say that he cannot say what he likes to say, in paper, while he can do so orally. For these reasons, Sir, I respectfully submit the words 'certificate or other document' ought not to be in this law and ought to be deleted."

**The Hon'ble Mr. Rama Rayaningar:**—"Sir, I support the amendment for the reasons which my Hon'ble friend Mr. Vijiaraghavachariar has given."

**The Hon'ble Dr. M. N. Banerjee:**—"Sir, Mr. Achariar has referred to me as representing the non-official profession, saying that I was a single man representing the whole of the non-official medical profession. With regard to that I should like to say that I have been authorised by the Bengal Medical Association, which is the representative association of the non-official medical men in Bengal, by telegram, to represent to this Council that, after the modification that has been made by the Select Committee, they have no objection to the Bill. So that I can at least say on behalf of the Bengal Medical Association what they think, although I am not representing non-official medical men in other parts of India."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"I wish, Sir, the Hon'ble Mover of the Bill and the Government to consider whether this amendment of Mr. Achariar's cannot be accepted. The main object put before the Council was that certain degrees which were being used by persons who had not obtained these degrees from Universities should not be used by them. But, if I remember aright, there are English Universities where, when a degree is not granted, certificates are given after a smaller period of training in certain cases. Now, here if a man has received five years' or three years' training in one of these medical colleges, and if afterwards he is not able to take a degree, why should not the men who teach him be in a position to write a certificate that the student has attended for five or three years, as the case may be, and has passed certain tests which those who teach him impose upon him? So that they can tell the public that though he is not a Licentiate or Bachelor of Medicine, yet he has gone through a course of training, and that he could be trusted to perform certain duties as a medical man. Will it really

[ *Pandit Madan Mohan Malaviya ; Rai Sita Nath Ray Bahadur ; Mr. Madhu Sudan Das* ] [ 15TH MARCH, 1916.]

conflict with the main object of the Bill, and will it not help to increase the number of qualified medical men if the amendment were accepted ? ”

**The Hon'ble Rai Sita Nath Ray Bahadur :—**“ Sir, while expressing my sympathy with the Bill in question, I must say that the amendment proposed is a very reasonable one. The principal aim of the Bill is to prevent private medical institutions from giving degrees or titles on the imitation of those given by the Government medical colleges and schools. Instead of quacks being allowed to practise with impunity the allopathic system of medicine, what the mover of the amendment asks for, is that the existing private institutions should be allowed to give certificates to their pupils indicating that they have received proper instructions in certain branches of medicine. The direct effect of the rejection of this amendment would be to reduce the number of qualified medical men. Sir, I may tell you that the requirements of the country for medicine and qualified medical men are very large indeed. There are thousands and hundred thousands of men in the interior of Eastern Bengal and especially in the Char lands which are so numerous in the large rivers there, who have never once in their life come across a medical man, nor tasted a drop of medicine, and the result is that when epidemic diseases break out, most of these people die, without taking any medicine whatsoever. Sir, I will give you a concrete case of the usefulness of the passed students of these private medical institutions. Last December, when cholera broke out in a virulent form simultaneously in several parts of Vikrampore, in the Munshigange sub-division of the Dacca district, we thought it proper to send a number of allopathic doctors to the affected areas for giving medical relief to the cholera-stricken people, but not being able to find out immediately sufficient number of qualified medical men of the type of sub-assistant surgeons, we thought it would be as well to send a few qualified doctors who passed out of the Belgatchia medical school, and the result was indeed eminently satisfactory, for they were able to cure a large number of patients who would have otherwise died without tasting any medicine, and now, Sir, what would have been the result if we had only to depend on men who passed out of Calcutta or Dacca medical schools ? For all these reasons, I cannot help giving my humble support to the amendment.”

**The Hon'ble Mr. Madhu Sudan Das :—**“ Sir, as I read the Bill and as far as I can understand its scope and objects, and as far as these can be found in the terms of the Bill, I do not think that it is necessary to have this amendment. If a person sits at the feet of a professor and studies a certain science, say chemistry, and is very proficient in that science, why should a professor be prevented from granting him a certificate saying that he has attained a certain degree of proficiency ? There is nothing in the Bill which can prevent or which is meant to prevent a professor from giving such a certificate. Supposing, for instance, a certain person recommends a certain medicine to me, it may be a grandmother's prescription, I use the medicine, I get cured of the ailment at the time, and I put down in a certificate that this man gave me a prescription that has done me an immense amount of good, in fact removed the ailment ; there is nothing in the Bill, as I understand it, that prevents me from doing that. The Bill says :—

‘ No person.....shall confer, grant, or issue.....any certificate or other document stating or implying that the holder, grantee or recipient is qualified to practise western medical science.’

That is very different from acquiring proficiency in one or two branches of the science that constitutes medical science. I do not think that anybody ever intended that the object of the Bill was to prevent persons from giving certificates of that nature. Now, for instance, there are patent medicines sold, and these patent medicines are advertized ; the advertizers enclose a number of certificates ; it is certainly not the intention of this Act that the givers of these certificates or the purchasers of

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[*Mr. Madhu Sudan Das ; Mr. Lowndes ; Pandit Madan Mohan Malaviya ; The Vice-President.*]

the patent medicines should come within the purview of the Act and be prosecuted; it only limits the number of persons or the associations that should be authorised to state in a certain manner, whether the manner be a license, a degree or a certificate which implies or states that the man is not only qualified to treat a certain disease, but that he is qualified to practise western medical science. Consequently, by moving this amendment my Hon'ble Friend Mr. Achariar has shown himself a little too chary, which was not necessary, for the Bill does not prevent any person from giving a certificate unless the certificate says in so many terms that the person is authorised to practise western medical science. That is a very different thing from having proficiency in a particular branch of one of the sciences that constitute medical science. There is danger apprehended where there is none and I submit therefore, Sir, that the amendment is unnecessary."

**The Hon'ble Mr. G. R. Lowndes :—**"Sir, in view of the discussion that has taken place on the amendment, I think it is possibly desirable that I should say a word on the legal interpretation of this clause. I would suggest that the interpretation of the Hon'ble Mr. Das is clearly a better interpretation than that which the Hon'ble Mr. Achariar puts on it. Mr. Achariar in his breezy way said that if a letter referred to any one as 'a very clever boy'—I believe I have taken his words correctly—that would be a breach of the terms of the clause. I also understood the Hon'ble Mr. Malaviya to suggest that no certificate of any sort or kind could be given. Now, having regard to the provisions of this clause, I should have thought that the plain meaning of the section is to prohibit only a certificate which states or implies that the holder is qualified to practise western medical science. It seems to me childish to suggest that to certify that a particular person was a clever boy or had attended chemistry classes for five years implies that he is qualified to practise western medical science."

**The Hon'ble Pandit Madan Mohan Malaviya :—**"May I ask the Hon'ble Member to explain the matter a little further? Supposing there is a student—"

**The Hon'ble the Vice-President :—**"The Hon'ble Member is not entitled to make another speech; he may ask a question."

**The Hon'ble Pandit Madan Mohan Malaviya :—**"Sir, I do not propose to make a speech; I am explaining my meaning and I will do so in a few words. I will give an illustration—a man has studied for five years in a college, he has been plucked, he has not obtained a degree; then the professor or professors in each subject which he has studied give him a certificate to the effect that he was very good in his subjects and that he had studied for five years in that institution, and that he was plucked; would such certificates in themselves mean practising his profession as a medical man or would he be liable to prosecution? Clause 3 of the Bill says :—

‘the right of conferring, granting or issuing in British India degrees, diplomas, licenses, certificates or other documents stating or implying that the holder, grantee or recipient thereof is qualified to practise western medical science.’"

**The Hon'ble Mr. G. R. Lowndes :—**"The language used would have to be construed under the Act. My learned friend is as qualified as I am to say whether a particular certificate implies a particular fact or not. I only intervened to suggest what would be the plain legal meaning of the words in the clause. They clearly do not cover such an interpretation as the Hon'ble Mr. Achariar jokingly put upon them."

[*Mr. C. Vijiaraghavachariar ; The Vice-President ;* [15TH MARCH, 1916.]  
*Sir Pardey Lukis.*]

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ When I referred to a clever boy I meant clever in one of these three subjects. The Law Member says that the interpretation—.”

**The Hon'ble the Vice-President :—**“ Order, Order. The Hon'ble Member is entirely out of order ; he has given his explanation and is not entitled to go further.”

**The Hon'ble Sir Pardey Lukis :—**“ Sir, I regret that I am unable to accept my Hon'ble Friend's amendment. I agree with Sir Harcourt Butler that, if these institutions be permitted to grant certificates of qualification to practise western medical science, it is highly probable that such certificates will be utilised to support bogus claims to practise, especially if they resemble the document now displayed. This is the diploma issued by one of the self-constituted colleges, and Hon'ble Members can see that, if the last line be erased, it ceases to be a diploma and becomes a certificate, and would doubtless be used as such, but I think it extremely likely that very few laymen would be able to distinguish between it and a proper diploma.

“ For these reasons, Sir, I deprecate any weakening of the provisions of the Bill as now amended. This might tend to frustrate the object of the Bill, which is to raise the standard of efficiency of these self-constituted medical colleges and to prevent ill-equipped and under-staffed so-called colleges, founded by irresponsible persons, from conducting the examination of their own students without any outside inspection or control.

“ I would point out here that there is no justification for the arrogation to themselves, by the managers of these institutions, of the right to issue at their pleasure certificates of this nature. It is, moreover, contrary to our general medical policy, as it affects Government medical schools. In this connection I may mention that the certificated class for medical women has now been done away with ; that from next year, pupils of the military assistant surgeon class will be required to possess the same certificates and preliminary education and to pass the same examinations as civil assistant surgeons ; and that in Bengal, Bombay and Madras definite examining bodies are now being constituted for the examination of sub-assistant surgeons. For instance, in Madras, the Board of Examiners has now been enlarged and conducts all medical examinations other than those of the University. In Bengal, the students of the Sealdah and of the Dacca Medical Schools take the License of the State Medical Faculty and the question of other Government schools is now under consideration. Similar arrangements exist in Bombay in connection with the License of the College of Physicians and Surgeons. I can see no reason, therefore, for recommending to the Council the acceptance of this amendment.

“ The self-constituted medical schools of Calcutta are to be given two years' grace in the matter of the grant of such certificates. During this period it rests with their management to see that the house is set in order, and it is as well that they should realise definitely that they are now at the parting of the ways, and that it is obligatory on them to improve themselves to a degree sufficient to merit Government recognition.

“ I do not think that my Hon'ble Friend can have been quite serious in what he advanced as regards the penalties incurred for granting certificates. In his note of dissent he remarked that if he were to attend lectures in First Aid delivered by a private professor, and obtain from him a certificate of competency, they would both be liable to criminal prosecution and conviction. In that connection, I should like to say, in the first place, that it is hardly likely that I, as the Chairman of the Executive Committee of the Indian Council of the St. John Ambulance Association, would bring in an Act which would render every member of my Association liable to prosecution. I should also like to point out, as has been done by the Hon'ble Mr. Das and the Hon'ble Mr. Lowndes, that this Bill deals only with certificates and other documents implying that the holder is qualified to practise western

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medical science It is not intended to penalise the holder of a certificate which merely states that he (or she) is qualified to render First Aid to the injured, pending the arrival of the doctor ”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ Sir, I plead guilty somewhat to the charge of want of seriousness, but the Hon'ble Sir Pardey Lukis will acquit me of that charge when I say I am very serious now. I am considerably embarrassed by two circumstances The Hon'ble and the distinguished Law Member must know that Courts, in construing an Act, decline to go into the proceedings of Council. They absolutely decline to interpret the Acts by what has been said in Council, no matter by whom Having that in view, my next consideration is—and I am somewhat suspicious about this—if my amendment is unnecessary, why is it opposed? If it is redundant, if it is unnecessary, may I know why it is opposed? The Hon'ble Mr. Das seems to think that such a certificate can be granted if it does not traverse qualification in all the three subjects, *i.e.*, Allopathy, Obstetrics and Surgery, and the Hon'ble and distinguished Law Member seems to endorse that opinion.”

**The Hon'ble Mr. G. R. Lowndes :—**“ I can assure my learned friend that I did not do so.”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ Very well, Sir, I did not then understand him, that is all, I would say. Somehow or other it is said that my amendment is redundant: then I cannot quite follow the chain of reasoning employed by the Hon'ble Mr Das and by the Hon'ble Mr. Lowndes. I understood Mr. Das to mean that if the certificate related to a single subject, such as Surgery or Obstetrics, or Allopathy, it is safe. If so, I am glad to accept that interpretation All that a clever professor has to do then is to give three certificates instead of one, that this particular person is good in Allopathy, No. 1, that he is good in Obstetrics, No. 2, and that he is good in Surgery, No 3. If he gives three separate certificates he is safe, because the word used in this clause of the Bill is ‘and’ and not ‘or’. Western medical science is described as Allopathic medicine, Obstetrics *and* Surgery and they have to be taken in a cumulative sense and not disjunctively! That is what I understood Mr Das to say. However, I am unable exactly to understand this, Sir. In traversing my arguments, Sir Pardey Lukis asked us to behold a very neatly drawn document. I saw the document, but not what was written in it from this place. I take it, it is a diploma. He said if you remove something at the bottom it becomes a certificate. Will that be a ground for converting an act which would be innocent if performed orally into an offence when it is reduced to writing? I particularly called the attention of Sir Pardey Lukis to this point, and I have the mournful satisfaction to see that no Hon'ble Member traversed that position.

“ He has said that the retention is intended to produce greater efficiency. May I say as against this argument, that it does not prevent any man from practising as he likes. This proposed law does not in the least interfere with the liberty of any person in India from practising in western medicine All that it says is, he shall not assume bogus titles, and in addition to that he cannot hold written certificates. That is all. How far this will tend to the development of greater efficiency and to the diminution of false pretences to which the public are likely to be subjected in the absence of this law is an open question. Upon that question opinions must vary, but in the meanwhile I think that absolutely no ground has been made out for including written declarations and making them penal while permitting oral declarations. To this incongruous aspect I have drawn the Hon'ble Member's attention and it has not been traversed. I therefore press my amendment upon the attention of the Council.

“ Sir, I should like a division on this matter.”

[ *Mr. C. Vijiaraghavachariar.* ] [ 15TH MARCH, 1916. ]

The amendment was put and the Council divided as follows :—

AYES—9.

NOES—41.

The Hon'ble Raja of Mahmudabad.	The Hon'ble Sir William Clark.
„ Pandit Madan Mohan Malaviya.	„ Sir Reginald Craddock.
„ Mr. C. Vijiaraghavachariar.	„ Sir William Meyer.
„ Mr. Rama Rayaningar.	„ Mr. C. H. A. Hill.
„ Khan Bahadur Mir Asad Ali Khan.	„ Sir Sankran Nair.
„ Babu Surendra Nath Banerjee.	„ Mr. G. R. Lowndes.
„ Mr. Qumrul Huda.	„ Mr. W. M. Hailey.
„ Rai Sita Nath Ray Bahadur.	„ Sir R. W. Gillan.
„ Lieut.-Col. Raja Jai Chand.	„ Mr. F. H. Stewart
	„ Raja Abu Jafar.
	„ Dr. M. N. Banerjee.
	„ Mr. W. H. Cobb.
	„ Mr. J. B. Wood.
	„ Mr. H. Sharp.
	„ Sir Edward MacLagan.
	„ Mr. R. A. Mant.
	„ Mr. J. B. Brunyate
	„ Mr. H. Wheeler.
	„ Brigadier-General Holloway.
	„ Mr. G. B. H. Fell.
	„ Surgeon-General Sir C. P. Lukis.
	„ Mr. R. P. Russell.
	„ Mr. C. H. Harrison
	„ Mr. A. H. Grant.
	„ Mr. C. H. Kesteven.
	„ Mr. A. P. Muddiman.
	„ Mr. Davidson.
	„ Mr. J. G. Cumming.
	„ Mr. Oldham.
	„ Mr. M. S. Das.
	„ Mr. C. W. M. Hudson.
	„ Lt.-Col. D. B. Blakeway.
	„ Mr. C. H. Atkins.
	„ Mr. J. Walker.
	„ Mr. M. B. Dadabhoy.
	„ Sir G. M. Chitnavis.
	„ Lieut.-Col. P. R. T. Gurdon.
	„ Rai Ghanasyam Barua Bahadur.
	„ Mr. R. E. V. Arbuthnot.
	„ Maung Bah Too.
	„ Mr. J. H. Abbott.

The amendment was accordingly negatived.

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ Sir, my next amendment is for the same purpose, and I may say is almost consequential upon the last, namely, that in clause 4, the words ‘certificate or other document’ be omitted, and the word ‘or’ be inserted after the word ‘diploma’.

“I do not think therefore that there is any need for me to detain the Council by moving it, and I beg to withdraw it.”

The amendment was, by permission, withdrawn.

[ 15TH MARCH, 1916.] [ *Mr. C Vijiaraghavachariar ; Mr. Surendra Nath Banerjee* ]

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ So is the next one which I also beg leave to withdraw, namely, ‘that in clause 6 and in the proviso to that clause, the words ‘or certificate’ be omitted, and the word ‘or’ be inserted after the word ‘diploma’.”

The amendment was, by permission, withdrawn.

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ Sir, I have the honour to move the following amendment which stands against my name, namely, that the following proviso be added to clause 3 of the Bill :—

‘ Provided that until Local Governments open or recognise lower standard vernacular schools, nothing in this section shall be deemed to preclude existing private medical institutions from granting certificates to their passed students.’

“ Sir, section 3 of the Bill restricts the power of granting certificates of qualification in western medicine to specified institutions mentioned in the Schedule and to such other bodies as the Governor General in Council may, from time to time, authorise in that behalf. The object of my amendment is to suspend the operation of this section, so far as the granting of certificates is concerned, in the case of existing medical institutions so long as the lower standard vernacular schools have not been opened by the Government, or having been opened by private effort have not been recognised by the Government. The effect of my amendment would be to allow the existing medical institutions to continue to grant certificates so long as these lower standard schools have not come into existence. The Council will remember that they accepted the other day—and the Government also accepted—the Resolution that was moved by the Hon'ble Dr. Banerji for the establishment of lower standard schools for the benefit of the rural population. That Resolution when given effect to will, I am sure, go to a very large extent to meet the medical needs of the community. But, Sir, what is to be the situation in the meantime ? We in Bengal—my knowledge of these things is confined to my Province—have a population in round numbers of 50 millions. On the register of qualified medical practitioners we have 2,500 men. In other words, we have one qualified medical man to 20,000 people. Any man in his senses will see that this is hopelessly inadequate. And so long as this state of things remains, the reign of the quacks will continue supreme. Under the circumstances, it is most desirable that the existing private medical institutions should continue to teach and to grant certificates to their passed students, for, Sir, it need hardly be said that some sort of medical qualification is better than no qualification at all, and that partially-equipped medical practitioners are more desirable than thorough-going quacks. I claim for my amendment that it is a necessary corollary to the Resolution moved by the Hon'ble Dr. Banerji. Sir, when that Resolution was accepted, I placed myself in communication with the leaders of medical opinion in Bengal, with the President of the Medical Association to whom reference has already been made by my friend the Hon'ble Dr. Banerji. I asked them if, having regard to the acceptance of Dr. Banerji's Resolution by the Government, they had any further objections to offer to the Bill. This was the reply that I received from Dr. Suresh Prasad Sarbadhikari, the President of the Bengal Medical Association. With your permission, Sir, I will read this telegram :—

‘ Bengal Medical Association gladly accept amended Bill read with Dr. Banerji's Resolution and tender grateful thanks for concessions. Association strongly prays (this is the operative part of the telegram) that existing schools be permitted to confer diplomas (probably they mean certificates) till rural practitioners are being created in pursuance of Dr. Banerji's Resolution, when all legitimate objections from peoples' and practitioners' point of view will disappear.’

“ Sir, this telegram embodies the deliberate judgment of the most representative, the most influential medical association in Bengal, consisting of men of the highest eminence and who are entitled to speak on behalf of themselves and of the community. Let me refer to one particular fact in this connection. It will be remembered, Sir, that when I had the honour and also the duty of

[ *Mr. Surendra Nath Banerjee ; Mr. Dadabhoy ;* [15TH MARCH, 1916.]  
*Sir Pardey Lukis.* ]

opposing this Bill in February last, I quoted largely from the representation of this body. It will be seen that Dr Banerji's Resolution has had the effect of disarming their opposition and reconciling them to the Bill, subject to the one important condition, and that is, the operative part of their telegram, *viz.*, that these private institutions will be permitted to grant certificates to their passed students so long as Dr. Banerji's Resolution has not been carried into practical effect.

"Sir, my amendment is based upon this telegram which embodies the expression of opinion in Bengal. That opinion was decidedly opposed to this Bill at one stage. Public meetings were held, there were demonstrations, protests in the press, telegrams were sent to the Government. All that has disappeared in consequence of the hope that has been created in the public mind by Dr. Banerji's Resolution, and it seems to me that it would be an act of conciliatory statesmanship if my Hon'ble friend the Member in charge could see his way to accept my amendment. It would secure for this Bill the firm support of Bengal public opinion, and in these days the support of public opinion is a valuable asset which, I venture to think, is highly useful even for the purposes of practical administration. I hope and trust that, under these circumstances, my amendment will be accepted by the Government. There is not the smallest desire to shelve the Bill, but there is at the back of our minds the idea that, if this amendment is accepted, the Government will hurry on with these institutions which Dr Banerji's Resolution refers to. The Government will be anxious to see that this Bill is given effect to, and as there would be that natural solicitude, the Government would have the strongest motive to establish those institutions which would go far to supply the medical needs of my Province.

"I hope and trust that my Hon'ble friend will see his way to accept this amendment, which embodies the deliberate judgment of the Province which is most affected by the Bill, for, as a matter of fact, it is only in Bengal that there are two medical schools which come under this Bill, and therefore Bengal opinion ought to count for something in a matter of this kind."

**The Hon'ble Mr. Dadabhoy :—**"Sir, I rise to support this amendment. My friend has very clearly and lucidly explained the scope and aim of his amendment. The amendment seems to me to be feasible and very modest. The concession which the Hon'ble Member asks for, is one which, I feel sure, Government will not refuse to grant. My Hon'ble friend has explained very clearly that, if the Government wish to give full and proper effect to the Resolution which was proposed the other day by the Hon'ble Dr. Banerji, it will be necessary to accept this amendment.

"I do not find much difference between the amendment proposed and the course which the Hon'ble Surgeon-General Lukis has decided to adopt. Under clause 3 of the Bill, Government wishes to reserve power to itself to grant certificates under certain conditions, and the Hon'ble Member wants that an express provision should be inserted in the Bill, so that, in future, there may be no doubt about the matter, and that the matter may not be left to individual discretion. The concession should be secured by statutory provision. Under these circumstances, I think his request is very reasonable, and I support it."

**The Hon'ble Sir Pardey Lukis :—**"I am afraid that I cannot accept my Hon'ble friend's amendment, which practically amounts to a proposal that the Act should be indefinitely held in abeyance pending the settlement of the question of vernacular medical education. This question was informally discussed in Select Committee, and it was then admitted to be entirely outside the purview of the present Bill, the object of which is to raise the standard of medical education in English-teaching institutions. It is on this understanding, and on this understanding only, that the Government of India decided

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[*Sir Pardey Lukis; Rai Ghanasyam Barua Bahadur; Mr. Surendra Nath Banerjee.*]

to accept the Hon'ble Dr. M. N. Banerji's Resolution, and I cannot agree to the acceptance of that Resolution being used now as a reason for the indefinite prolongation of the right to grant certificates, the objection to which I have already pointed out in my answer to the Hon'ble Mr. Vijiaraghavachariar."

**The Hon'ble Rai Ghanasyam Barua Bahadar:**—"Sir, while I greatly sympathise with the object my Hon'ble friend, Mr Banerjee, has in view, I see one more difficulty if his amendment is accepted. It will imply that, as long as the Government do not start their own schools of the lower grade, private institutions will be at liberty to continue to grant diplomas and certificates as they are doing now. So that private institutions which are not up to the mark in the standard they now assume for themselves will not feel induced to reduce it or to take steps to convert themselves into lower grade schools, unless and until the start is made by Government. Now it needs no saying that Government measures in matters like these take some time to mature themselves, and in this season of war and want of funds the delay may even be greater than usual. In such a case the result will be that the reform and improvement aimed at, as also the creation of private vernacular medical schools, may be indefinitely postponed, a thing which I do not consider desirable. If, however, the standard and curriculum of the proposed vernacular schools are definitely laid down at the earliest possible time, private enterprise may usher them into existence even before Government start their own schools of the kind. So I think the proper thing to ask Government to do, would be not to ask for a concession like this, but to prescribe the text-books and appoint examining bodies for the lower grade schools without delay, so that private institutions willing to come under that category may have the chance of doing so as soon as they want, whether the Government have started their own schools or not. I do not think it would be safe to allow all private institutions to grant certificates as they do now; at the same time, it will be unfair to disable them or other private bodies from taking action on right lines until the Government themselves can come up with their own institutions of the lower grade. I think that it would be enough if the Government fixed the standard and appointed an examining body for the contemplated lower grade of schools as early as possible, so that private enterprise in that direction may not be unnecessarily delayed. Indefinitely to postpone the operation of the Bill would be to frustrate its very object. I am unable to support the amendment as it stands."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"Sir, I cannot quite follow the Hon'ble Sir Pardey Lukis in the objections that he has raised to my amendment. He seems to think that, if my amendment were accepted, it would result in the indefinite postponement of the operation of this Bill. I do not think that is so at all. Whether the Bill is to come into operation at once or not will depend largely upon the action of Government. If these institutions are forthcoming, say, in six months' time or even earlier, the Bill will be operative at once, and my contention is, that the acceptance of this amendment would be a strong incentive to the Government to hurry on these institutions."

"I may just mention one fact which, I think, the Hon'ble Sir Pardey Lukis is acquainted with. The Hon'ble the Inspector-General of Civil Hospitals in Bengal has taken a very deep interest in the matter, and, I believe, he is prepared to place the Sambhunath Pundit Hospital at the disposal of the authorities for starting an experiment of this kind. If the Hon'ble the Surgeon-General earnestly takes up the question of establishing these lower standard vernacular schools, my impression is that, in the course of the next six months at least, one institution of the kind might be started in Bengal; and then, such an institution having been started, the Bill would come in to operation at once."

"I confess I was not able to follow the arguments of my Hon'ble friend who spoke last. He spoke of raising the standard of private medical institutions,

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I think that is what he said. As a matter of fact, there are no private medical institutions in Bengal, except two: the School at Belgatchia and Dr. Mullick's School. The School at Belgatchia has been affiliated to the University, and the other will soon, I hope, be affiliated to the State Faculty with the aid of the Hon'ble the Surgeon-General. Therefore my Hon'ble friend was fighting a shadow. He was building upon assumptions which do not exist—upon materials which are not to be found in any part of India.

“As the Hon'ble the Surgeon-General has taken up a decided attitude in regard to this matter, I will not press my amendment, but will beg to withdraw it.”

The amendment was, by permission, withdrawn.

**The Hon'ble Mr. Surendra Nath Banerjee:**—“Sir, I beg to move the next amendment which stands against my name, which is that the following proviso be added to clause 3 of the Bill, namely:—

‘Provided that nothing in this section shall be deemed to preclude existing private medical institutions from granting certificates to their passed students for a period of four years from the commencement of this Act.’

“Sir, the object of this amendment, and I am sure the Hon'ble Surgeon-General will be in sympathy with it, is to protect and safeguard the interests of students now attending the existing private medical institutions. They joined these institutions before the Bill was introduced, and surely they should not suffer by reason of the introduction of the Bill. The Hon'ble Surgeon-General has—very properly as I think—done away with those retrospective provisions of the Bill which were objected to, and I venture to think that my amendment only accentuates a principle which has already been accepted by him. Sir, I rely upon the Report of the Select Committee in support of the amendment which I have moved. The Select Committee, in paragraph 2 of their Report, say :

‘Although no change of substance has been made in clauses 3 and 4, we think we ought to place on record the fact that, in connection with these clauses, we discussed the question of the position of the students of the third and fourth year in existing institutions. It was pointed out that it would be open to Government, by exercising the powers conferred by the latter portion of clause 3, to authorise such institutions to grant certificates to such persons, and the Hon'ble Member in charge of the Bill having expressed his intention of indicating, when dealing with the Bill in Council, that Government would adopt this policy, we decided that no amendment in the Bill was necessary in this respect.’

“The Select Committee, therefore, have agreed that the powers reserved under the latter portion of section 3 should be employed for the benefit of students in the third and fourth year classes. I ask why not for the students of the first and second year classes? And I venture further to submit that a matter of this importance should be dealt with by legislation: it should not be made the subject-matter of an executive order.

“Sir, since I gave notice of this amendment, I have had the opportunity of discussing the question with experts, and with the approval of my Hon'ble friend the Member in charge of the Bill, I propose to reduce the number of years from four to three. I find that the fourth year class will be dismissed in April next. There will, therefore, be three classes remaining, the first year which will become the second year of the new session, the second year which will become the third year of the new session, and the third year which will become the fourth year of the new session. Those who join these institutions after the Bill has become law are not entitled to exceptional treatment; they become students with their eyes open. The second, third, and fourth year students deserve consideration and, therefore, if my Hon'ble friend will agree to it, I propose to reduce the term from four to three years. I hope in that revised form the amendment will recommend itself to the acceptance of my Hon'ble friend.”

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**The Hon'ble the Vice-President :—**“ The amendment now stands for a period of ‘ three ’ years instead of ‘ four.’ ”

**The Hon'ble Mr. Dadabhoy :—**“ Sir, I support the amendment. I have already placed my views on this Bill before the Council. I hope Sir Pardey Lukis will see the reasonableness of this amendment, particularly as the Bill has now been altered.”

**The Hon'ble Rai Sitanath Ray Bahadur :—**“ Sir, I also beg to support the amendment in its present form.”

**The Hon'ble Sir Gangadhar Chitnavis :—**“ Sir, I support the amendment. I hope the Hon'ble Sir Pardey Lukis will see that this further concession is made. The students of the first year class of these private institutions have spent some time and money in studying for the profession, and in many cases, it will not be possible to continue their studies, without loss of time and money, even in private institutions that may secure affiliation. For these reasons, I beg to support the amendment.”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur :—**“ Sir, I beg to support the amendment just moved by my friend on the right (Hon'ble Mr. S. N. Banerjee), and I am sure that the Hon'ble Sir Pardey Lukis will see his way to grant this concession also, as he has done in many other respects.”

**The Hon'ble Mr. Madhu Sudan Das :—**“ Sir, I beg to support the amendment of Mr. Banerjee, and my grounds are these. Both the public and the Government feel the need of having more doctors than the country now has. It is also agreed that the country is in need of a certain class of medical advisers who have acquired a qualification, which will make them or rather place them within the reach of the poorer classes of people ; and, secondly, the qualification of these men would be of a lower standard than the qualification of men who are turned out in medical colleges. So far both the public and the Government agree that there is a necessity for more doctors in the country. When this was the state of things, certain persons undertook to open colleges or schools where they trained up certain doctors, and these men have been doing their work. Then it was found that they were not the right type of men whom the country required, and consequently by accepting the Resolution of the Hon'ble Dr. Banerjee, Government actually said in so many terms that the country is in need of doctors, but not of that type which these institutions produce. There is only the difference between the public and the Government opinion as regards the qualifications of these doctors. Government does not maintain, nor can they maintain, that these doctors who were turned out from these colleges were doing positive injury to society, or that they were a nuisance. That that cannot be the position of Government is clear from the fact that it is provided at the end of clause 6 that these men, who have existed to this day, will continue to exercise their functions as medical officers to the public after this Act comes into force. So the position of Government is this, that Government does not say that these are men who are obnoxious members of society, or who have done any positive injury to society. Then the question resolves itself into this :—‘ Are these people who have hitherto been necessary for medical help in this country, who are allowed after the Act to continue to render medical help to the country, do they become really a positive source of injury to the country that they should be at once stopped ? What is the result of this stopping at once ? The result will be that we will not have the number of doctors which the country needs. The Hon'ble Mr. Banerjee said that the acceptance of his amendment will have the support of Bengal, but I say what is more, it has the support of reason, it has the support of equity. But

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then there is one thing The proviso to clause No. 6 of the Bill says 'Provided that nothing in this section shall apply to the use by any person of any title, description or addition which, prior to the commencement of this Act, he used in virtue of any degree, diploma, license or certificate conferred upon, or granted or issued to him.' Now by this proviso those men who were holders of certificates before the passing of the Act will have the privilege of practising medicine. The Hon'ble Mr. Banerjee says—'Extend the period.' Now, suppose the period is extended ; it will require consequential amendment ; because what will be the result of accepting the amendment ? Without a consequential amendment, the result will be that these men who, after the passing of the Act, receive certificates will not be authorised to practise medicine, because the proviso to that clause says that only those persons who hold a certificate of a date prior to the passing of the Act will enjoy the privilege of practising medicine, whereas to those men who would receive certificates under the extended period covered by the amendment of the Hon'ble Mr. Banerjee, that proviso will not apply. So the result will be that, even if we accept the amendment, without having a consequential amendment, the result will be that certificates will be not worth as much as the pieces of paper on which they are written. While I certainly support the Hon'ble Mr. Banerjee in his amendment, I say that the matter has not been considered sufficiently. Is Government prepared to allow these men turned out by these institutions to continue as practitioners after this Act is passed ? Considering that it is only justice that those who are actually students at the present day, and considering that the need of the country is that we require more medical men, I hope the Hon'ble Sir Pardey Lukis, on behalf of Government, will see his way to accept the amendment with the consequential amendment. As regards the time, two or three years, I am not in a position to say which will suit the condition of the country. That can be decided best by Sir Pardey Lukis."

**The Hon'ble Sir Pardey Lukis :—**" I regret extremely that I must once again oppose the amendment proposed by my Hon'ble friend Mr. Surendra Nath Banerjee. In order to explain my reasons for so doing, I must go a little more fully into detail as regards the genesis of the self-constituted medical colleges of Calcutta than I did when introducing this Bill into Council last September.

"The parent institution was the College of Physicians and Surgeons of Bengal, which was originally started in 1884 under the name of the Calcutta Medical School. All went well until 1904-05, when the late Dr. Fernandez, who was at that time the Secretary owing to a difference of opinion with the other members of the Committee, decided to start another school in Wellesley Street, which he named the College of Physicians and Surgeons of Calcutta. The following year Major Sinha, I M.S. (Retired) and about half the staff of the new school, finding themselves at variance with Dr Fernandez, seceded from that institution and started the College of Physicians and Surgeons of India in Motts Lane. After the departure of Major Sinha for England, the management devolved upon Major Basu, I M.S. (Retired) and Dr. S. K. Mullick, but these two gentlemen found themselves in disagreement. Accordingly, in 1907, Dr. Mullick severed his connection with the College of Physicians and Surgeons of India, and started 'the National Medical College of India', in Bow Bazar, so that, in the result, three new schools sprang into existence between the years 1905 and 1907, all running in competition with the parent institution of which they were off-shoots. It was the sudden appearance of these institutions which induced the Government of Bengal in 1908, when submitting their proposals for the introduction of the Medical Registration Act, to suggest the inclusion of penal clauses somewhat similar to those of the present Bill. Whilst the Bengal proposals were under consideration by the Government of India, an application was made to the Local Government by one of these newly started medical colleges asking for a certain grant-in-aid. Two experienced medical officers were then deputed to inspect the institution, in

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communication with its authorities, and to report as to its suitability for recognition by Government to the extent proposed. The opinion of the Inspector-General of Civil Hospitals of Bengal was also asked for. That officer, in forwarding the report of the inspectors, stated that the so-called college had scarcely any equipment or other facilities for imparting proper medical education to its pupils, and he expressed strongly his opinion to the effect that this inspection brought out clearly what had for a long time been obvious, namely, the need for bringing the operations of the self-constituted medical schools under control in order to prevent the European system of medicine from falling into undeserved disrepute. He concluded by saying, however, that he was far from wishing that anything should be done to cripple the legitimate expansion of Indian institutions, and he gave it as his opinion that, if all the existing so-called medical schools were to amalgamate into one really good non-official college, and if their wealthy patrons were to subscribe the necessary funds to provide the requisite buildings, a scheme might be evolved worthy of the recognition of Government, but that, as things then were, he could not recommend that Government should in any way recognise the existing conditions, or accede to the request of the authorities of the self-constituted medical school in question. The next step was in August, 1910, when the Government of India addressed the Government of Bengal, stating that it was undesirable that legislation should be undertaken against these self-constituted medical colleges until an effort had been made to induce all or some of them to unite in forming one really good teaching institution. The Government of Bengal then addressed the Inspector-General of Civil Hospitals in December, 1910, directing him to convene a Conference in Calcutta, in which the heads of the various self-constituted medical schools might meet himself and various official and non-official representatives, in order to discuss the point raised by the Government of India. In compliance with these instructions, two meetings were held in Writers' Buildings on the 23rd and 27th of March, 1911, but no definite conclusions were arrived at, chiefly as a result of the clashing interests of the various institutions concerned and the opposition of their representatives. Here, apparently, the matter was allowed to drop, and nothing more was heard on the subject. After two years had elapsed without any progress being made, the Government of India decided to render financial assistance to the parent institution—the College of Physicians and Surgeons of Bengal—with a view to its ultimate affiliation to the University of Calcutta—a result now happily attained. Having thus provided for the future of the Belgatchia school, the Government of India next addressed all Local Governments in May, 1913, asking for their views as to the desirability of the introduction of the present Bill, and on the receipt of their replies, which were practically unanimous in favour of this proposal, a reference was made to the Secretary of State in December, 1914. His permission to introduce the Bill was received in February, 1915; the decision was immediately communicated to the Press, and the Bill was introduced into Council the following September. It is obvious, therefore, that the proprietors of these institutions have had ample warning of the intentions of Government, and they have only themselves to blame if, failing to recognise that these intentions were serious, they continued to admit large numbers of pupils as though nothing were likely to happen. There is absolutely no justification for the allegation made in a certain memorandum that has been widely circulated amongst members of this Council, to the effect that nobody could foresee that this Bill would fall upon the students as a bolt from the blue. For these reasons I am unable to recommend that the two years' grace already granted as regards the issue of certificates should be extended to four years. The Government of India have been very patient and long suffering in this matter, but there is a limit even to their patience. Nor can I see any necessity for such extension. The memorandum above quoted states that there are 'hundreds' of students in the 1st and 2nd year in the private institutions except Belgatchia. In view of the fact that the so-called College of Physicians and Surgeons of India is now extinct, and that Drs. Monier and Manuk (the successors of the late Dr. Fernandez) have announced their intention of closing the College of Physicians and Surgeons of Calcutta at the end of this month, it is obvious that these 'hundreds' of

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1st and 2nd year students must all be in the National Medical College of Dr. S. K. Mullick, and I can only say, if this supposition is correct, that, in view of the actual size of his institution, I find it difficult to understand where he accommodates these young men; how he arranges for their instruction; and what explanation he has to offer for having admitted such large numbers at the present juncture.

"I would point out, moreover, that the case of the 3rd and 4th year students, in which are included all those who have completed two years of professional study, is on a different footing to that of students of the 1st and 2nd year: the former would have to go back to the very beginning and repass all their earlier examinations, thereby suffering great loss of time and money. This does not apply to students who are merely commencing their 2nd year's course, and who, in consequence, cannot have passed their examinations in Anatomy and Physiology

"For these reasons, Sir, I am unable to accept the amendment."

**The Hon'ble Mr. Surendra Nath Banerjee:**—Sir, the Hon'ble Surgeon-General has given us a history of the circumstances which have led up to the present legislation. It is a most interesting history and it certainly discloses the solicitude of the Government in the cause of private medical education. But apparently the object of stating these facts in this Council was to point to the conclusion that there was really no grievance, and that the proprietors—I think I am quoting the Surgeon-General's own words—had ample notice of what was coming on, and that they should have been prepared for this legislation. Perfectly true, so far as the proprietors are concerned, but what about the students? I am not concerned with the proprietors in the slightest degree. The proprietors may be hanged, drawn and quartered for the matter of that. My interest is in the students. Does the Surgeon-General really mean to say that the students, as a class, knew what was transpiring in the Secretariats, what was taking place in the Conferences and in the correspondence that was passing between the Provincial Governments and the Imperial Government? I know something of those students; far too absorbed are they in their own work, and sometimes, in their play. They would not concern themselves with these things. These are matters which would not be known to them; they would not be cognisant of them, and I think it is only right and proper that a sympathetic and a merciful consideration should be extended to them, apart from whatever treatment may be dealt out to the proprietors. With the proprietors, who betray their trust, who try to make money out of the students, who do not perform their duties, I have no concern, but for the students who are their meek and humble victims, I feel the deepest sympathy, and I appeal to the Government to extend to them that sympathy which every right-minded man must feel in connection with them. The Hon'ble Member says that the students have crowded into Dr. S. K. Mullick's school because they have been dismissed from the other schools. I do not know, I think that is mere assumption. I think that with this Bill hanging before them, the students would seek to discover other walks of life. I should think that, while Dr. Mullick's institution was suspended in the air, between heaven and earth, its fate unknown and its future enveloped in mystery, the students would not be so foolish as to enter that institution, at least in their hundreds. Therefore, there may be a few more students in Dr. Mullick's school than perhaps there were before. I appeal on behalf of the students, and I venture to submit that this concession should be made. The Hon'ble Surgeon-General has endeavoured to adapt himself, so far as practicable, to the demands of public opinion, and the Bill, as it has emerged from the Select Committee, is proof positive of his solicitude in that direction. Sir Pardey Lukis must have noticed that there was, on this side of the Council at least, a strong feeling that my amendment should be accepted, and in view of the fact that he is legislating for us, for our students, for those in whom we are interested, whom we know most, I think it is only right and proper that he should, in this

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matter, defer to our opinion. Sir, I cannot withdraw this amendment. I must press it to a division, if necessary."

The amendment was put and the Council divided as follows --

AYES—15.	NOES—35
The Hon'ble Raja Abu Jafar.	The Hon'ble Sir William Clark.
„ Raja of Mahmudabad.	„ Sir Reginald Craddock.
„ Dr. M. N. Banerji.	„ Sir William Meyer.
„ Pandit Madan Mohan Malaviya.	„ Mr C. H. A. Hill.
„ Mr. Vijayaraghavachariar.	„ Sir C. Sankaran Nair.
„ Mr. Rama Rayaningar.	„ Mr. G. R. Lowndes.
„ Khan Bahadur Mir Asad Ali Khan.	„ Mr. W. M. Hailey.
„ Mr. Surendra Nath Banerjee.	„ Sir R. W. Gillan.
„ Maharaja Ranajit Sinha of Nashipur.	„ Mr. F. H. Stewart.
„ Mr M. S. Das.	„ Mr. W. H. Cobb.
„ Mr. Qumrul Huda	„ Mr. J. B. Wood.
„ Rai Sita Nath Ray Bahadur	„ Mr. H. Sharp.
„ Lt -Col. Raja Jai Chand.	„ Sir Edward MacLagan.
„ Mr. M. B. Dadabhoy.	„ Mr R. A. Mant.
„ Sir G. M. Chitnavis.	„ Mr. J. B. Brunyate.
	„ Mr. H. Wheeler.
	„ Mr. C. E. Low.
	„ Major-General B. Holloway.
	„ Mr. G. B. H. Fell.
	„ Sir Pardey Lukis.
	„ Mr. R. P. Russell.
	„ Mr. C. H. Harrison.
	„ Mr. A. H. Grant.
	„ Mr. C. H. Kesteven.
	„ Mr. L. Davidson.
	„ Mr. J. G. Cumming
	„ Mr C. E. A. W. Oldham.
	„ Mr. C. W. M. Hudson.
	„ Lt.-Col. D. B. Blakeway.
	„ Mr. C. H. Atkins.
	„ Mr. J. Walker.
	„ Lt -Col. P. R. T. Gurdon.
	„ Mr. R. E. V. Arbuthnot.
	„ Maung Bah Too.
	„ Mr. J. H. Abbott

The amendment was accordingly negatived.

**The Hon'ble Sir Pardey Lukis:**—"Sir, I beg to move that the Bill, as amended, be passed.

The motion was put and agreed to.

The Council here adjourned for Lunch.

RESOLUTION *RE* CONSTITUTION OF A COMMITTEE TO  
INQUIRE INTO DIETARY ARRANGEMENTS, ETC., OF  
CHILDREN IN EUROPEAN BOARDING SCHOOLS.

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[ *Mr. J. H. Abbott.*]

**RESOLUTION *RE* CONSTITUTION OF A COMMITTEE  
TO INQUIRE INTO DIETARY ARRANGEMENTS,  
ETC., OF CHILDREN IN EUROPEAN BOARDING  
SCHOOLS.**

**The Hon'ble Mr. J. H. Abbott:—**“Sir, I beg to move the Resolution which stands against my name :—

‘That this Council recommends to the Governor General in Council that wherever there are European Boarding Schools, committees consisting of officials and non-officials be constituted by the Local Governments for the purpose of inquiring into the physical condition of, and the dietary arrangements for, the children therein and reporting thereon to the Director of Public Instruction.’

“In moving this Resolution I consider it peculiarly suitable to the present needs of the moment, the time when the problems of education and sanitation are so much before the public, and are receiving the earnest consideration of this Council.

“Perhaps there is no more supreme duty devolving upon the Government of a State than the careful care and upbringing of the child; for the boy or girl of to-day will be the citizen of to-morrow—soldier, doctor, lawyer, administrator, may be on the one hand, or on the other hand, the mother. The healthy development of the child, carefully moulding him year by year for the battle of life, depends wholly upon education of mind and body surroundings and nourishment. ‘A sound mind in a sound body’ is a very old saying, but nevertheless as true to-day as of yore; no mind can be developed, if the body, the temple of the soul, is ill-nourished, ill-cared for, and ill-clothed. These truisms have long been translated into Statutes in most European countries. The recognition of the appalling effects of under-feeding in schools has led in our Mother Country to the passing of the Education (Provision of Meals) Act of 1906, and the Education (Administrative Provisions) Act, 1907. In furtherance of the same objects, the London County Council, and other local bodies throughout Great Britain have appointed Children’s Care Committees, whose primary duties are to visit the Public Elementary Schools, seek out ill-nourished and sickly children, and see that proper care and nourishment is afforded them. And even if the parents cannot afford the required food, the State steps in and makes it their business to see that the growing child has a fair chance; that he obtains that bodily and mental nourishment so essential to mould him into a good and loyal citizen of the nation.

“Sir, I do not ask that the State should go quite so far in the case of European schools in India. All that I ask is, that some measure of protection may be afforded to the children attending such schools. Such schools are, and have always been, almost entirely under private management. The only European schools wholly State-managed are a few special secondary institutions of a particular character directly under Local Governments; these include the Lawrence Military Asylums of Ootacamund, Sanawar and Murree. It is a well known fact that the management and administration of many of our privately managed and administered schools in India are not what should be desired, and are more or less in financial difficulties; and what is the consequence? Economy must be practised. And in many cases it is unfortunate to relate, economy lies in the direction of the curtailment and cheap supply of food. Sir, what is the result? Under these circumstances, such a condition of affairs must lead to the starvation of the bodies or minds of the pupils. It cannot be otherwise.

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“It has been forcibly brought to my attention, although I have not sought for the information, that children in a robust state of health, are sent to such schools by parents, but when they return home for periodical vacations, they present a more or less washed-out anæmic appearance. These conditions cannot be attributed to any other causes than that of want of sufficient nourishment, insanitary environments, and perhaps, too, at times, aggravated by harsh or even cruel punishment.

“Sir, incredible as it may sound, the prisoners in His Majesty’s jails in India are better protected by law regarding dietary and sanitary arrangements than are the pupils of our Schools. Take, for example, the fact that the inmates of a jail are periodically weighed, that a minimum scale of food allowance is fixed, which guarantees that each prisoner must receive the quantity of food allowed him by the regulations governing such institutions; that should harsh punishment be unjustly inflicted on one of them, the mode, the method, and the punishment can be investigated, criticised and reported to the authorities superior to those who are in charge. Should any one individual be found to lose weight, appear ill-nourished, or to suffer in any way for want of care and attention, the fact has to be reported to the Inspector-General of Prisons. Such, Sir, is the attention bestowed on criminals—where any abuses which may exist in jails are discovered, investigated, and the necessary action promptly taken. Such a systematised state of affairs does not exist in any of our privately-managed Boarding Schools; and I plead, on behalf of our children, with all the eloquence at my command, that such be introduced, that a food-scale definitely defining the minimum allowance for children be framed, and be binding on School Authorities; that each child at regular stated intervals be weighed and measured by school authorities in the presence of their Medical Officer, and the weight and measurement be notified to the parents concerned in the monthly report of the child. Surely the off-spring of those men, so large a proportion of whom give their best service to the State, are entitled to the same privileges criminals enjoy?

“Sir I do not propose, with the limited time at my disposal to describe fully the duties of Committees, which I ask in my Resolution to be appointed, but, with your permission, I shall endeavour to briefly outline their duties. It is most essential that the Committees once constituted should comprise only entirely independent persons fully representative, and thoroughly capable; and should in all cases be nominated by the Collector or Deputy Commissioner of the district. The members, individually or collectively, should pay strictly surprise visits to the schools under their care paying particular attention to the food—the quantity and quality supplied. They should also pay attention and check the weights and measurements of the children. Should any child be found to be losing weight, or to show signs of emaciation, or to bear marks of severe punishment, the Medical Officer should furnish his report forthwith, together with that of the Visitor or Visitors, as the case may be, to the Director of Public Instruction of the Province concerned. They should immediately determine if the cause of emaciation is due to insufficient nourishment, to ill-treatment, or to any other fault of the school; or whether the cause is due to some organic disease; and if the latter, prompt action should be taken to arrest the disease; and the parents should, as in all case of sickness, be immediately informed of the condition of the child. In all cases the suggested visitation of such Committees, systematically, regularly and conscientiously made, would act as a great safeguard over the children to whom the country owes a solemn duty.

“Sir, I must now conclude. I have tried to portray the feelings which have actuated me to bring forward this Resolution, and I leave the matter to the Council, with the assurance that they will give the subject the attention it deserves.”

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INQUIRE INTO DIETARY ARRANGEMENTS, ETC., OF  
CHILDREN IN EUROPEAN BOARDING SCHOOL.

[ *Sir C. Sankaran Nair* ; *Mr. Surendra . Nath Banerjee* ; *The Vice-President.* ] [ 15TH MARCH, 1916. ]

**The Hon'ble Sir C. Sankaran Nair :—**“ Sir, the Government of India realise that the children attending schools must be in such a physical condition that they may be able to take advantage of the education therein imparted. Otherwise the curricula ought to be modified or steps taken to improve the physical condition of the children. Inquiries are already being made by Local Governments, by means of individual inspections of school children by medical officers, to collect information to enable the Government or school authorities to take remedial and precautionary measures. With the experience already gained, the Government of India have no doubt that such inquiries will be more vigorously prosecuted. My Hon'ble friend will, therefore, understand that the Government of India are in full sympathy with the object that he has in view. Nevertheless, I regret that the Government cannot accept his Resolution. It is not necessary now to refer either to the facts which he has stated or to the reasons that he has advanced. I am free to accept many of the statements he has made. Some of the arguments do not appeal to me, but it is not necessary to refer to them all. If Hon'ble Members will refer to the Resolution itself, they will see that the Government are thereby requested to constitute a Committee, consisting of officials and non-officials. Many of these schools are under the supervision of governing bodies, and it is their duty to make the inquiries that are referred to in the speech of my Hon'ble friend. There is no reason to supersede them, unless it appears that the Committees that might be appointed would perform the duties much better. Again, leaving aside medical officers for the present, it is very doubtful whether officials who have the leisure to attend to these duties can be found in all these places. And my Hon'ble friend wants independent persons—entirely independent persons, fully representative and capable. Such men are not easily found. To lay, therefore, an obligation on the Local Governments to appoint Committees consisting of such officials, it may not be possible to find them ; or consisting of such representative persons—it may not be possible to find them either ; is out of the question. But if my Hon'ble friend wishes it, the Government are prepared to go far to meet his views. There is no reason why the Local Governments should not appoint such Committees where the conditions are favourable and where the Government can get officials and non-officials of the character referred to by my Hon'ble friend. We are prepared, therefore, to forward a copy of my Hon'ble friend's Resolution, with his speech and the Proceedings of this day, to the Local Governments for them to take action where the local conditions justify it. Further than that we are not now prepared to go.

“ Though the Resolution is confined to the constitution of Committees to make inquiries, in his speech my Hon'ble friend has gone very much further. He asked that a food scale definitely specifying the allowance for children should be framed by the school authorities. That goes very much further than what he indicated in the Resolution itself, and therefore I do not refer to that part of the Hon'ble Mover's speech.

“ For the reasons I have given, Sir, we are unable to accept the Resolution.”

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ Sir, I have just one word to say in connection with the Resolution and the speech of my Hon'ble Friend. The Resolution confines itself to European boarding schools. There are Indian boarding schools quite as important and far more numerous than the European boarding schools. Is the attention of the Government to be drawn solely and exclusively to European boarding schools in preference to Indian boarding schools ? ”

**The Hon'ble the Vice-President :—**“ Order, order. The Resolution we are discussing is one relating to European boarding schools. As the Hon'ble Member knows, we are not discussing Indian boarding schools.”

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LUTION *RE* PLACING THE ANCIENT AND INDIGENOUS  
SYSTEMS OF MEDICINE ON A SCIENTIFIC BASIS.

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**The Hon'ble Mr. Surendra Nath Banerjee :—**“ I just wanted to suggest that, as the Government is going to make an inquiry, they might include the case of the Indian boarding schools also. That is all I have to say, and I hope that my Hon'ble friend, the Education Member, will consider the matter favourably.”

**The Hon'ble Mr. Abbott :—**“ I must thank the Hon'ble the Education Member for the sympathetic way in which he has dealt with my Resolution, and I feel sure that something will come of it. I do not think I need refer to what the Hon'ble Mr. Banerjee said just now. I did not know how far any interference in this matter was possible or desirable in Hindu and Muhammadan schools. I therefore did not include them in my Resolution.

“ With these remarks I withdraw my Resolution.”

The Resolution was, by permission, withdrawn.

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RESOLUTION *RE* PLACING THE ANCIENT AND  
INDIGENOUS SYSTEMS OF MEDICINE ON A  
SCIENTIFIC BASIS.

**The Hon'ble Khan Bahadur Mir Asad Ali Khan :—**“ I beg to move the following Resolution :—

“ That this Council recommends to the Governor General in Council that the Government of India, in consultation with Local Governments, should investigate the possibility of placing the ancient and indigenous systems of medicine on a scientific basis and increasing their usefulness. ”

“ In doing so, I desire to draw the attention of the Council to the state of public feeling in the matter. The passing of the Medical Registration Act in different provinces, the hasty and ill-advised action of the Madras and Bombay Medical Councils against certain leading Indian practitioners for their interest in, and association with, Ayurvedic institutions, a matter favourably disposed of subsequently, and the generally unsympathetic and sometimes prejudicial attitude—with notable exceptions indeed—of the Indian Medical Service towards the indigenous systems of medicine, have really brought to the forefront the Ayurvedic as well as the Unani system. While the allopathic system has received more than full recognition at the hands of the Government, the other systems, especially the two indigenous systems, have been left uncared for. While continued efforts have been made through legislation and by other means to safeguard and promote the interests of the modern system, nothing so far has been done to revive the ancient systems, and encourage their practice. That there has been within recent years a considerable intellectual awakening among the peoples of India cannot be denied. Both Hindus and Mussulmans are endeavouring, in the words of our gracious King-Emperor, ‘to conserve the ancient learning of India,’ and wherever possible, reconstruct the old edifice on modern lines. Hence people are asking whether it is not one of the functions of the State to give as much medical relief as possible to suffering humanity, and whether the Ayurvedic and Unani systems which, though shorn of their ancient glory through neglect of ages, are still largely practised throughout the country, cannot be so improved as to minister to many millions of patients whom the allopathic system cannot possibly reach.

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Public interest and sympathy are being roused by the publication of literature on the indigenous systems and the holding annually of All-India Ayurvedic and Unani Conferences in the principal cities of India. The founding of Ayurvedic and Unani colleges and dispensaries at important centres, and the growing interest in the study of these systems, are indeed unmistakable indications of a bright future for the Eastern systems. While I myself am not a believer in so-called 'systems,' I venture to think that the modern medical science has certainly made a notable advance. Even 'systems' are liable to change in the light of fresh facts gathered, new experience gained, and more light thrown on the subject.

"The Resolution, Sir, makes but a simple recommendation, at once modest and reasonable, and asks the Government to investigate the possibility of placing the indigenous systems of medicine on a scientific basis and increasing their usefulness. What the indigenous systems are, what is meant by a scientific basis, and what their usefulness is, will be presently explained, before the grounds for such investigation are put forward. The two widely prevalent indigenous systems are the Ayurvedic and Unani systems. It is perhaps too late in the day to question the antiquity of these systems, particularly the more ancient Ayurvedic system, which is said to be as old as the Vedas. These systems flourished during the Middle Ages, and reached a state of perfection. Even to-day the advance made in therapeutics seems to go ahead of modern therapeutics. Both the Ayurvedic and Unani systems lay claim to great antiquity, much intrinsic value and high efficiency. While Ayurveda traces its source to the Vedas, Unani owes its origin to the Greek culture, and traces its development to the Egyptian culture and Arabic sources. Professor J. F. Royle of the King's College, London, in his essay on the Antiquity of Hindu Medicine, said:—'The antiquity and independent origin of their medicine display, I conceive, considerable merit not only as showing that they had at an early period paid attention to what now constitute the several branches of medicine, but also they had discovered various kinds of remedies as well as modes of applying them. That many of these are of a valuable nature we may readily be assured by looking at their *Materia Medica*, and our own obligations to it, as well as by remembering how recently some among them of old date have been introduced into European practice, as the smoking of *datura* leaves in asthma, the prescribing of *Nux Vomica* in Paralysis and Dyspepsia.' But he rightly added, 'From the mixture, however, of much ignorance and absurdity with what is valuable, many will be apt to despise altogether the medicine of the East.' The Right Hon'ble Mount Stuart Elphinstone bore testimony to the value of the system, when he remarked—'We are not surprised with their knowledge of simples in which they gave early lessons to Europe, and more recently taught us the benefit of smoking *datura* in Asthma, and the use of cow-itch against worms. Their chemical skill is a fact more striking and more unexpected.' Dr. George H. Clark spoke of the system thus: 'If the physicians of the present day would drop from the Pharmacopœia all the modern drugs and chemicals, and treat their patients according to the method of *Charaka*, there would be less work for the undertakers and fewer chronic invalids in the world.' Dr. A. F. Rudolf Hoernle of Oxford said: 'There is much that is valuable in the old Ayurvedic system of medicine; but there is much more that modern Hindu practitioners may, with profit to themselves and to their patients, learn from the great advances made by modern medical science.' The same remark may equally apply to Mussalman practitioners. Last, but not least, the Hon'ble Surgeon-General Sir Pardey Lukis, than whom there is no warmer friend of the indigenous systems of medicine, in his recent utterance at Indore referred in glowing terms to 'dechlorination,' and added, 'Any *Vaid* or *Hakim* could have told us, long before Widai and Javal made their experiments, that salt is contra-indicated in all dropsical affections.' So much for the greatness of the system. One chief difference, however, between the Ayurvedic and Unani systems lies in the fact that the Hindu physicians use minerals too in their preparations, while the *Hakims* use chiefly herbs and drugs. To

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either system modern surgery is practically unknown. Hence the desirability of improving these systems.

“By a scientific basis is meant that the ancient systems which through long neglect and consequent deterioration became rusty, should be so improved as to possess the advantages of the modern system, and brought up to date in the light of recent scientific researches. It must not, however, be understood that the ancient systems are unscientific. But it will be more correct to say they are, perhaps, less scientific. As for their usefulness, it need hardly be said that millions of patients, especially in rural areas, have to avail themselves of the indigenous methods of treatment. Many of those who practise the indigenous systems may be quacks. But the object of my Resolution is to reduce considerably the number of quacks, and have in their place a good number of duly qualified and trained *Vaidyas* and *Hakims*. Even as the present day physicians are, they are not such bad specimens as they are often portrayed to be, and the indigenous systems themselves have been useful and serve the purpose wherever no access can be had to modern methods of treatment. It must, however, be admitted that the indigenous systems are capable of improvement. They rely too much upon authority. If ever these systems should progress, they should be taught to base their theories and conclusions upon experiment and observation, the foundation stone of any rational system.

“There are good reasons why an investigation of the indigenous systems should be made. In the first place, the existing medical institutions, as well as medical practitioners, are quite inadequate to meet the growing requirements of the country. According to the latest figures available, there were, in 1913, 2,820 Civil Hospitals and Dispensaries treating a little over 515,000 in-patients and over 30 millions of out-patients; 851 State Special and Railway Hospitals treating a little over 98,000 in-patients and 2,331,000 out-patients; and 697 private non-aided institutions treating over 57,000 in-patients, and 4,828,000 out-patients. In other words, there are about 4,400 Hospitals and Dispensaries all over British India treating about 33 million patients, for a vast population of 240 millions. That is, there is one hospital for every 5,500 of the population. They are certainly inadequate for an equally large, if not larger, number of patients who do not come within the reach of these medical institutions are, I believe, being treated generally by local *Vaidyas* or *Hakims*. If, however, the quality of these physicians is improved, be it ever so little, better results will surely follow, and mortality would gradually go down. Again, there are but five medical colleges with about 1,700 students and 28 medical schools with about 4,200 pupils for all India. Of these, the number of qualified students is very small. These numbers, too, are quite inadequate for the vast Indian population.

“The rate of mortality is very high when compared with that of the United Kingdom. In the United Kingdom, the death-rate was 14.2 per 1,000 of the population in 1913, against 17.1 in 1901, whereas, in India, it was 28.72 in 1913, against 29.45 in 1901. In England and Wales, it was 13.7 in 1913, against 16.9 in 1901; in Scotland, it was 15.5 against 17.9; and in Ireland, it was 17.1 against 17.8. In India, therefore, the death-rate is practically double of what it is in the United Kingdom. In the urban area there is a higher death-rate than in the rural area. Among the provinces, Delhi showed in 1913 the highest death-rate of about 40 per 1,000 of the population, while Madras showed 21.40, the United Provinces, Coorg, the Punjab, Central Provinces, Bengal and Bombay recording 34.84, 33.48, 30.19, 30.28, 29.35, and 26.63, respectively. Thanks, however, to the recent sanitary measures of a benevolent Government, the rate of mortality, since 1911, has been showing a steady decline. From 32.01 in 1911, it came down to 28.72 in 1913. But the rate of infant mortality is much higher. Fevers, cholera and plague have claimed millions of victims. Fevers alone have been claiming a death-roll of about four millions per annum for the last few years. Much of the sickness and mortality, as the moral and material progress and condition of India for 1913-14 says, is due to deficient

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powers of resistance and to insanitary habits and surroundings. The sanitary laws of old which are embodied in the indigenous systems of medicine, if they are brought to light again and carefully adhered to, will surely tend to lower the death-rate and conduce to the better maintenance of the public health, as also a trained body of Ayurvedic and Unani practitioners, in addition to the Indian practitioners of the western system.

“ Secondly, the indigenous systems should be improved in the interests of rural economy. The poor peasantry will find the indigenous treatment far less expensive than the allopathic treatment. While medicinal herbs, drugs and plants can easily be obtained in villages at little cost, modern medicine, whether imported or manufactured locally, would cost more. Moreover, villagers have far deeper faith in the indigenous methods of treatment, and family custom, orthodoxy and superstition will invariably favour the indigenous systems. To the poor villager, therefore, a cheap physician, good enough for all practical purposes, is a desideratum.

“ Thirdly, the indigenous systems themselves, notwithstanding their defects, can still boast of a rich store of valuable medicine, as efficacious as western medicine. Rich in their *Materia Medica*, the Ayurvedic or Unani medicine can hold its own against modern medicine. The purity and excellence of certain Ayurvedic as well as Unani medicines have been appreciated by some of the best European physicians. If, therefore, investigation is conducted with zeal in this particular direction, the result will have justified the trouble taken. What is really wanted, is a little practical sympathy and freedom from bias on either side in order that the proposed investigation may yield fruitful results.

“ For these reasons, Sir, I would request the Government to investigate the possibility of placing these systems on a scientific basis. I may also be permitted to suggest that, in this task of investigation, the Supreme Government, as well as Local Governments will do well to invite the co-operation of renowned *Vaidyas* and *Hakims* and others interested in the study and practice of the indigenous systems. Bengal is rich in its *Kavirajes*. In other centres too, such as Kashmir, Benares, Lahore, Delhi, Calcutta, Allahabad, Bombay and Madras, there are competent authorities whose mature opinion will be of great use to the Government. As a preliminary step towards a complete investigation of the Ayurvedic and Unani systems of medicines, I should like to suggest the desirability of publishing in the original and in English translations of the most renowned and authoritative Treatises of medicine in these systems. Such investigation as the Resolution proposes, when undertaken with full responsibility and vigorously pursued, will not only help to resuscitate the ancient medical systems, but encourage and aid the existing Ayurvedic and Unani Institutions, and eventually lead to the formation of learned bodies or associations for the purposes of bringing into brotherly contact eminent practitioners of the Western and Eastern systems, of investigating indigenous drugs and methods of treatment, and of awarding titles, diplomas, and other marks of public recognition to those who distinguish themselves as students or practitioners of the indigenous systems at examinations instituted for the purpose.

“ I hope and trust that this Resolution will meet with the unanimous acceptance of the Council ”

**The Hon'ble Mr. Rama Rayaningar:**—“ Sir, the Resolution, as it stands, reads as though the Hon'ble Mover wants us to understand that the Ayurvedic and Unani systems of medicine are not scientific, but that he does not really do so, is amply evident from his interesting speech. The Ayurvedic and Unani systems are not mere empiricisms; they are undoubtedly scientific. It is true that some of the theories that these systems postulate do not find favour with Allopaths; it is also true that, while the Allopathic system is progressing, the Ayurvedic and Unani systems remain stationary. They are as

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they had been centuries before. This, however, does not mean that these systems are unscientific. That these systems are scientific has been admitted by great many eminent men. Lord Ampthill, one of our late Governors, said:—‘Colonel King assures me that the ancient Hindus used animal vaccination secured by transmission of the small-pox virus through the cow; he bases the interesting theory on a quotation from Dhanvantari’ and continuing His Lordship said—‘I cannot refrain from mentioning yet another of Colonel King’s interesting discoveries which is, that the modern plague policy of evacuation and disinfection is not a whit different from that enjoined in ancient Hindu Shastras.’ Sir William Hunter has the following on the scope of Indian medicine—‘Indian medicine dealt with the whole area of the science. It described the structure of the body, its organs, ligaments, muscles, vessels and tissues. The *Materia Medica* of the Hindus embraces a vast collection of drugs belonging to the mineral, vegetable and animal kingdoms, many of which have now been adopted by European physicians. Their pharmacy contained ingenious processes of preparation with elaborate directions for the administration and classification of medicines. Much attention was devoted to hygiene, regimen of the body and diet.’ Speaking of the Ayurvedic medicine, Dr. Ray observed—‘It is absolutely free from any trace of quackery or charlatanism.’ As the Hon’ble Mover has already referred our much esteemed colleague, the Hon’ble Surgeon-General, more than once expressed his high appreciation of these great systems of medicine. What an irony of fate, though these systems are greatly appreciated by eminent men, they are by some condemned as worthless quackery. Whether professional jealousy or ignorance or something better, that is at the bottom of this condemnation it is not for me to say. Whatever that might be, there is no denying the fact that these systems are giving substantial medical relief to millions of Indians. People have great faith in these systems, indeed, in some cases, the cures effected by *Vayadas* and *Hakims* are really marvellous. After all as the learned Charaka says: ‘*Tadēva yuktam bhaishajyam yadaro-gyaya kalpatē Sachaiva bhishajam srēsthō rogēbhyo yah pramochayēth*’—that is the proper medicine which cures disease and he is the best physician who relieves from ailments.’ Besides, indigenous medicines are comparatively very much less costly, and are within the reach of all people; the bulk of Indians are poor and have limited means. They cannot afford to pay for the costly allopathic treatment. Even if they can afford to pay, there are not sufficient number of allopathic medical practitioners to treat all the people. In these circumstances, I think it is the duty of Government to encourage the indigenous systems of medicine. Government can encourage Ayurvedic and Unani systems of medicine in various ways. They can have schools and colleges to teach these systems. They can publish authenticated texts on Ayurvedic and Unani medicines. They can offer research scholarships. It is, however, gratifying to note that Government have begun to take interest in the matter. Recently, when I interpellated Government on this subject, the Hon’ble Home Member gave a sympathetic reply. He said that the Government was considering the matter. It is time something substantial should be done. With these observations, Sir, I support the Resolution.”

**The Hon’ble Raja Saiyid Abu Jafar of Pirpur:**—“Sir, the Hon’ble Mover has done a great service to the Indian public by moving this Resolution. For the Western medical system is undoubtedly a complete, and comparatively speaking, perfected whole comprising all the wonderful advances made by modern surgery, anatomy and therapeutical chemistry, based as it is, on unceasing and elaborate researches in the domain of disease and infection. But the Ayurvedic and Unani systems of treatment, which also had their days of glory and prosperity, still retains a considerable hold over the masses of this country. By a section of the people who profess great faith in these two systems, they are regarded as a very useful means of treatment, especially in some chronic cases. It is most desirable that these systems of

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medicine should be revived and encouraged, which will be undoubtedly productive of enormous benefit to the people. It is regrettable that these indigenous systems of medicine have been dwindling away, neglected and uncared for, owing to the lack of a sufficient number of competent training institutions imparting instruction, and through a want of efficient qualified teachers. The greatest advantage in the Ayurvedic and Unani systems is that almost all the remedies of their pharmacopœias are indigenous, locally and more easily available, and cheaper than the imported drugs of foreign countries. Moreover, the proper spread of these systems of medicine and a multiplication of their practitioners will serve to supplement the number of doctors practising the western system of medicine which is already inadequate for the needs of the country.

“With these remarks, I accord my support to the Resolution.”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur:—**

“Sir, I beg to support the Resolution. It is a fact that the indigenous systems of medicine, both *Kabiraji* and *Hakimi* are prevalent in this country. There are still several people who are prejudiced against western methods of medicine, especially Hindu widows, who generally resort to the *Kabiraji* and *Hakimi* systems of medicine; and now-a-days, owing to want of State encouragement, these systems are dwindling down. There are very few *Kabirajes* and *Hakims* who can be trusted with important and difficult cases, and so quacks are rampant in many parts of our country. Being a layman, I am unable to compare the indigenous system of treatment with that of the western method; but it is a fact that in most chronic cases the ancient systems prove efficacious, especially in cases of dysentery, etc., and I have known many instances of Europeans even resorting to the Ayurvedic treatment in preference to the Allopathic treatment. In fact, Government also encourages *Kabirajes* and *Hakims*, because I find from the Civil List that the Government have created the two titles of Vaidaratna and Shifa-ul-Mulk for the *Kabirajes* and *Hakims*, so, in a manner, Government also encourages the best *Kabirajes* and *Hakims*, and so, I think, it is time that the State should encourage this sort of treatment, especially because, as my Hon'ble friend has remarked, the poorer classes cannot afford to pay for Allopathic treatment as the charges of doctors are high and also the prices of medicines. In the case of indigenous medicines, the prices are very low and the *Kabirajes* do not charge heavy fees except, of course, in big towns and cities. My friend does not ask now for any State encouragement; he only asks that the matter might be investigated, that this system be put on a scientific basis. As many people depend on this system, I think it is desirable that it should be on a scientific basis, and that the lives of the people should not be left in the hands of quacks who do not understand either the Ayurvedic or Unani systems.”

**The Hon'ble Mr. Surendra Nath Banerjee:—**“Sir, I desire to associate myself with the support that has been accorded to this Resolution by my Hon'ble friends. The question is one of great practical importance; it is not a theoretical matter in any sense, a question of mere research leading to no practical benefit; for, as the situation stands to-day, there are large sections of the community which avail themselves of the indigenous systems of medicine. Go to a village in Bengal, or to any other part of India, and you will find that the *Kabirajes* are in evidence; you will find that the *Hakims* are also conspicuously in evidence. Therefore, it is a fact which cannot be disputed that a very considerable section of our people, notwithstanding the prevalence of the western system of medicine, avail themselves of indigenous methods. There must be something in these methods to encourage them to have recourse to them; they must be benefited by these methods, otherwise they would reject them. That being so, I think it is the duty of Government to place these systems upon a satisfactory footing for the benefit of the vast masses of the

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population who avail themselves of it. I think, Sir, that that is a clear conclusion to which the existing state of things points.

“Then, Sir, the Resolution is exceedingly moderate. I think my Hon’ble friend asks for no more than this, that the Government should investigate the possibility of placing the ancient and indigenous systems of medicine on a scientific basis. Is it possible to do this? Whether it is possible or not, is to be the subject of inquiry. My friend does not say that it is. It is possible that, after examination, the attempt may have to be given up; but, at the same time there is this fact, that these two systems of medicine are in vogue amongst our people, amongst the masses of our people. Who is to make the investigation? No public body has the means, no private individual has the inclination or the means. The Government wields the resources of the State, the Government alone commands the organisation and the means for carrying on the investigation. Therefore, it seems to me, having regard to the present situation, the basis upon which my friend places his proposition is exceedingly sound, exceedingly logical. Here is the Government, cognisant of the fact that there are large numbers of our people who avail themselves of these systems of medicine. These systems of medicine do need improvement, the Government alone can improve them, the Government alone can investigate the question as to the possibility of placing them upon a scientific basis, and that is what the Mover wants Government to do. I am sure my Hon’ble friend who will reply to this Resolution will see his way to accept it. It is an exceedingly moderate Resolution; it is necessary in the interests of the country, and what is more, it will satisfy a vast body of public feeling. For, say what you like about western systems of medicine, about the vast progress that they have made, about the immense and the unspeakable benefits that they have conferred upon our people, I think we cannot shut our eyes to the glories of the past. In the morning of the world, the Ayurvedic system was the only system in vogue. The Greeks borrowed their system from the ancient Hindus, the Arabs borrowed theirs from the Greeks. Therefore, if you go back to the misty past, you will find the Ayurvedic system prevailing. That system has outlived the vicissitudes of time and fortune, and is still an accepted system amongst the population of India. There must be something in it to account for this wonderful vitality, and therefore that fact points to the necessity of an investigation, of an investigation taken up by the great Government that presides over the destinies of this country, a Government which is the custodian of the ancient lore of India. And, therefore, it is with great confidence that I submit that this Resolution should be accepted by the Government.”

**The Hon’ble Rai Sita Nath Ray Bahadur :—**“Sir, I beg to give my hearty support to the Resolution. Repeated attempts had been made in Bengal by *Kaviraj* Bijoya Ratna Sen to induce the Government of Bengal to give assistance to the indigenous systems of medicine by starting a central institution for promoting the study of the Ayurvedic system of medicine, and to put them on a sound and sure footing. But nothing came of his efforts, for the indigenous systems had never been looked upon with indulgence or sympathy. Who have not heard of the great *Kavirajes* Ganga Prasad Sen of Calcutta and Ganga Dhar of Murshidabad, and the very wonderful cures they used to effect in various hard cases, and especially in chronic cases. These indigenous systems are particularly most efficacious in chronic cases. Even now, the great masses of the people who live in the interior, and even the higher classes, always take advantage of the *Kaviraji* system to get themselves treated by *kavirajes* from whom they always get timely and effective remedy and relief. There is no doubt, as stated before, that the indigenous systems are most effective in chronic cases, and Government would do well to encourage the old systems, and to take steps to promote the study of those systems of medicine. I am glad that the passing of the present Bogus Degrees Bill will give a greater impetus to the study of the indigenous systems of medicine.”

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**The Hon'ble Sir Gangadhar Chitnavis:**—"Sir, as a representative of the Province where these systems of indigenous medicines are in practice to a certain extent, I also beg to support the Resolution, although I do not admit that the indigenous systems of treatment lack a scientific basis. I am glad the Hon'ble Mover also does not lay stress upon this point. If they were empirical, they would not have lasted for centuries, and would not have been popular to-day in spite of the competition of the western systems of Allopathy and Homœopathy. There is still a large class of people who believe in them, and the general experience is, that they are very good and helpful in the treatment of certain diseases. But it would be wrong to claim for them perfection. The investigation recommended in the Resolution might be productive of good, and suggestions might be forthcoming which would increase the usefulness of the systems. Examination is the first condition of progress, and as these medicines are still used by a large class of people, any such improvement in the system is sure to benefit humanity. I accordingly support the Resolution."

**The Hon'ble Mr. Madhu Sudan Dass:**—"Sir, during the discussion that has followed the Resolution and also when the Hon'ble Mover was putting his Resolution before this Council, I frequently heard the use of the expressions 'Western' and 'Eastern' systems of medicine, and it was also said that they differed. There can be no two systems of medicine; medicine must have one scientific basis and one object in view. The object in view must be the cure of human diseases, and different systems followed in different countries may differ as regards the medicines they use, the drugs they use, or the instruments they use—such instruments differing in one country from those in another according to the advancement in other sciences made in each country. What must have been the origin of all medical science? If we go back to the primitive state of man, he must have gone about in a state of barbarism; disease must have overtaken him; he must have picked out some drug, used it and got cured. That was the first step of medical science, and then, as society advanced, the information collected by a number of individuals was tabulated. It was all in its origin empirical in character. Afterwards, the information has been classified, and has assumed now the dignified name of science. It is but natural that in the East—in India—man must have resorted to the drugs which are naturally produced in India, and it is equally natural that in the West man must have used drugs obtainable in the West. The West advanced and with the aid of chemistry they prepared different tinctures, and, whereas the *kabiraj* now prescribes a heap of weeds, Burroughs and Wellcome have made compressed tabloids of these weeds. It is a question of mere dimensions. All that this Resolution asks, is whether there is not sufficient material in India to form the basis of an investigation, and is it not likely that such investigation would bring to light the accumulated result of the experience of thousands of years? Science, Sir, is nothing but the classification of the result of human experience. What is science after all? Science is nothing but a survey of nature. Man looks round him and sees different objects, studies the nature of these objects, the virtues of the plants, and then he deduces his conclusions, and these conclusions form the basis of science, the result of scientific research. The Hon'ble Mr. Banerjee said 'if it is possible to build a science on it.' I do not understand why he should have gone so far as to doubt the possibility of it."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"I rise to a point of correction. I did not doubt the possibility at all. I simply quoted the words of the Resolution. I said whether it was possible, and, if possible, Government was the only body to do it."

**The Hon'ble Mr. Madhu Sudan Das:**—"I submit that here we have the accumulated result of the experience of ages, and that result has not died away. The very fact that, since the incoming of the British here

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the Western system of treatment has prevailed to a large extent and has received much patronage from the rich and the influential, but, notwithstanding all these disadvantages against it, the fact that the indigenous system has survived, shows that it has a vitality of its own, and that vitality it draws from the very nature of the soil and the environments of the country. Consequently, it is not at all desirable that such a treasure, a treasure which in fact is the accumulated result of such long experience, should be allowed to die out. In my own time I have seen, Sir, there was a time about 45 years or half a century ago, when the European doctor condemned *dahi* (sour milk). Now, I suppose that *dahi* is prescribed by every doctor. Men who are lovers of science pick up anything that really contributes to the health of mankind; it does not matter whether it is from the East or West. Disease is the same whether it is in the Eastern body or Western body. A healthy Western body is just the same as a healthy Eastern body. Consequently, Sir, I think that this is a thing which should not die, while we are spending lakhs and lakhs to preserve a monument like the Taj Mahal, or anything of that kind which was meant to commemorate the life of one person. We should not be justified in allowing to die a system which has preserved in the past the lives of millions and millions, and is now doing the same work on the same scale. Should we be justified in allowing this to die? And to die of what? Financial starvation—to die from lack of sympathy from Government.

“With these remarks, I heartily support the Resolution.”

**The Hon'ble Mr. Qumrul Huda:**—“Sir, we have all heard with interest the history of the Ayurvedic and the Unani systems of treatment just given by the Hon'ble Mover of the Resolution. Ayurvedic science flourished in India during the period of its highest civilization, and when the greater part of the world was very little acquainted with science. Unani, or generally called *Hikmat*, held its sway in Spain for about 800 years. In Egypt, it alone relieved suffering humanity and saved the lives of many till a comparatively recent date. The Hon'ble Mover in his lucid speech has sufficiently proved the fact that these ancient sciences—antiquated though they may look to a bigoted mind—are not such as to be left neglected and permitted to be buried in oblivion. I have heard remarks to the effect that *Hakims* and *Kaviraj's* are quacks, but that is not the fault of the science these men profess to know, but the ignorance of the science on the part of the man who passes such remark. It may be admitted that these ancient sciences have not kept pace with the progressing European world. With the changes and the circumstances brought about by time, many so-called *Hakims* and *Kavirajes* have cropped up who cannot have the least pretensions to the science to which they falsely profess to belong. They are rather a slur on the profession. In these days the example of so-called *Hakims* or *Baids* will not be found wanting, who never learned or studied the science, but pretend to be *Hakims* because their grandfathers or great grandfathers in their time were renowned *Hakims* and had left some well-tried prescriptions. Admittedly such pretenders are a scourge and danger to the lives of Indian people. But why have such miserable and dangerous degradations crept into these noble sciences? The reason is not far to seek. The old institutions for imparting knowledge in this science were swept away by the change of kingdom, and no suitable institutions were found to take their places. When there was no criterion or standard left to judge the merits of those who claimed the knowledge of the science, it was a good day for the imposters to call themselves *Hakims* or *Kavirajes* as it suited their sweet will. Fearing a similar degradation of the European system of medicine, the Government was justified in introducing in this Council the Indian Medical (Bogus Degrees) Bill, though the cause of apprehended danger was not the same nor very similar.

“It is well known to the Government that there are still people in the land who have a preference for the Unani or Ayurvedic systems of treatment

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The Resolution we are discussing seeks, in a manner, for the sympathy of the Government towards these ancient sciences. Any action taken by the Government to teach these sciences on a scientific basis will shut the doors against pretenders and imposters. Naturally, it will improve the present condition of *Hakims* and *Kavirajes*. Thus, it will save the lives of many Indians who die for want of proper treatment. There are a few Madrasas for *Tib* and some colleges for Ayurvedic science in India. Let these be taken under the supervision of the Government, and I am sure in not very long time they will be turned into model *Tib* Madrasas and Ayurvedic colleges

“With these few words, I support the Resolution”

**The Hon'ble Sir Pardey Lukis :—**“Sir, although I cannot agree with the remarks in regard to the alleged unsympathetic attitude of the Indian Medical Service towards the indigenous systems of medicine, it gives me very great pleasure to be able, on this occasion, to associate myself with the Hon'ble Mr. Surendra Nath Banerjee in supporting the motion of my Hon'ble friend Khan Bahadur Mir Asad Ali Khan, a motion which deals with practically the same subject as the Resolution recently proposed by the Hon'ble Dr. M. N. Banerji, *viz.*, the provision of competent medical aid for people in rural areas. The motion now before us deals with a subject to which I have devoted considerable thought during the 36 years of my residence in the East, and as I said the other day at Indore, the longer I remain in India and the more I see of the country and its people, the more convinced I am that many of the empirical methods of treatment adopted by the *Vaids* and *Hakims* are of the greatest value

“I may say also that I do not recognise any fixed line of demarcation between the Eastern and the Western systems of medicine. The main difference between the two is, that whereas one has advanced the other has remained stationary, and that is why I am an advocate for the placing of the ancient and indigenous systems of medicine upon a scientific basis, thus increasing their usefulness. Modern medicine, as we know it to-day, is very different from the rough methods of treatment of the ‘barber surgeons,’ and we are ourselves only just emerging from the slough of empiricism. I well remember that in the early seventies, at which time disease-causing bacteria were unknown, I was almost howled down when I tried to deliver an address on the germ theory of disease before a Students' Debating Society. Hon'ble Members will recollect also that, until a few years ago, we believed malaria to be due to foul air, as its name implies.

“Why then should the Allopath arrogate to himself the right to appropriate for his individual benefit all new discoveries, denying these privileges to the practitioners of other systems of medicine? This appears to be especially unfair when it is borne in mind that 90 per cent of the Indian population live in rural areas where the *Vaids* and *Hakims* are—and will be for many years to come—the chief attendants of those dumb millions alluded to in recent speeches in this Council. It was in view of this, and in the hope that something might be done to raise the status and improve the education of *Vaids* and *Hakims*, that I insisted on a definite standard of education for the new type of vernacularly trained village practitioners which it is proposed to create, for I am strongly of opinion that, in the interests of the masses, the improvement of the education of those who profess the indigenous systems of medicine is quite as important as the invention of a lower grade of Allopathic practitioner. Personally if I were ill, I say frankly that I would prefer to be treated by a good *Vaid* or *Hakim* rather than by a bad doctor. I resent strongly that spirit of medical trades-unionism which leads many modern doctors to stigmatise all *Vaids* and *Hakims* as quacks and charlatans, and I shall always be proud of the fact that I was privileged to have the friendship of two such learned men as the late Nawab Shafa-ud-dowlah of Fyzabad and Kaviraj Bijay Ratan Sen of Calcutta. I will not trouble a lay audience with all the evidence that exists to show that many of

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the so-called discoveries of recent years are merely 're-discoveries' of facts known centuries ago to the ancients. I will merely remark that I am not alone in my opinion as regards the value of the ancient systems of medicine. If I err, I do so in good company, amongst whom I may mention my friend and former colleague, Sir Havelock Charles, Colonel King, of Madras, to whom India owes the magnificent Research Institute at Guindy, and that distinguished Sanitarian, Dr. Turner, the Health Officer of Bombay. For these reasons, Sir, it gives me great pleasure to be able to announce that I am authorised to accept this Resolution on behalf of the Government of India "

**The Hon'ble Mr. C. Vijiaraghavachariar :—**" I wish to say a few words, Sir. In associating myself with this Resolution, I thank the Hon'ble Surgeon-General Sir Pardey Lukis for the cordial sympathy he has extended to it. It does seem to me that there is some considerable difference of view between the Hon'ble Mover of the Resolution and the Hon'ble Sir Pardey Lukis, who has been somewhat misled, I think, by the speeches made in support of the Resolution. I am against treating the Ayurvedic and Unani systems of medicine as ancient monuments. I protest against it. I am also against providing the rural population with inferior practitioners, whether you call them Ayurvedic or Unani practitioners, or by whatever name you call them. If the Ayurvedic system and the Unani system are worth investigation they are worth investigation in the name of mankind, and not in the name of the rural poor. I come from the rural poor and I protest against the rural poor being treated as an inferior set of human beings to urban and suburban poor. What we want is, that the science—whether it is a perfect science or an imperfect science—should be investigated for its own sake apart from the uses to which it could be put in India. I also protest against having two sets of medical students and medical facilities in India, one for the poor and one for the rich. What we want is, that the medical future of India should be that, wherever people cannot afford to pay for such medicine and such medical aid, they must have it gratis or at half rates. Whether rich or poor, from Prince down to peasant, we must have the highest benefit which scientific skill can afford to us. The idea of two sets of institutions according as the people they will serve are rural or urban, rich or poor, is most vicious in principle and calculated to produce needless distinctions.

"I also protest against the statement that the ancient medical systems of India are entirely empirical. They had a scientific basis; they reached a certain degree of perfection, as most things in India did. There was progress, political progress, economic progress and progress in everything else; but for reasons we need not investigate now they came to a standstill, and medical science shared the fate of every other science. Then, the Hon'ble Sir Pardey Lukis made a claim for western medical science that it was advancing. I admit it is advancing; but I believe it is advancing mostly and only in one direction, namely, surgery. It is true surgery has decayed in India. If you look into any of the ancient books on surgery, you will find innumerable instruments that we cannot identify: they are named. Bones are also named. I believe something like 600 bones are named in Sanskrit literature, and over 140 or 150 surgical instruments. We don't know how to make those instruments now. But that decay began—it was not merely stationary but decayed—may be granted; while surgery has advanced in Europe to an extraordinary degree. But not Allopathy or anything else along with it. And one can understand why Europe has become the most military nation in the world, and it has summoned to its aid the science of inflicting the most deadly wounds. Those who know how to inflict the most deadly wounds must perforce also know how to cure them; for the two sciences, the science of inflicting the most cruel wounds on little or no provocation on women and children, and the science of surgery, are very intimately connected. I will not deny you this advantage. I freely and frankly admit that Europe

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has made marvellous advance in the matter of surgery. But I deny that they are superior even now in the matter of treating diseases to the Ayurvedic and Unani systems of medicine. I am entirely serious when I say this. What is the practice in Southern India? My friend, the Hon'ble Mr. Surendranath Banerjee always speaks for Bengal. Let me for once speak for Southern India, although we, members of this Council, ought to speak for the whole of India and the whole of Burma. In Southern India this is the practice. In all matters of acute diseases, people—even the best educated people—have recourse to English medicine; but in all matters of chronic diseases, diseases which require long and patient treatment, they abandon western treatment, and take Unani and Ayurvedic medicines. I am not talking of the poor; I am not talking of those who cannot afford it; I am talking of all the people, both rich and poor. They all believe that European doctors are the best for providing prompt provisional remedies in acute cases and arresting their course, where that has to be done; but somehow they have got the belief that European medical science has not got good medicines to get rid of the disease altogether, and they therefore have recourse to the celebrated *hakims* and *kavirajes*.

“I can also quote the case of Japan, though I forget the exact authority. How has it been there? Japan, as we all know, learnt everything that the world could teach her, and it learnt the science of medicine, like every other science, from the West. She put the two together, her own science and western science, blending them into one and thus evolved a new system. With what result? In the Russo-Japanese War, she was able to cure 75 per cent of her wounded soldiers, while Russia was unable to cure 25 per cent. What we want is, a thorough investigation of Indian medical science, whether you call it Ayurvedic or Unani is immaterial; overhaul the whole of it and the medical future of India should be a State system in which, as in the Japanese State system, without any name the whole of medical science should be a blended mixture of the Ayurvedic, Unani and Western systems. No matter where the institutions are located, no matter who are the patients rich or poor, that will be the system used. If the Government is going to give us anything less than that; if you reduce your cordial support to the liberal support that you gave to the poor Resolution of the Hon'ble Dr. Banerjee the other day, I am very sorry for the motion, and I am very sorry for the support given by the Government of India. What I want is, that there should be an instalment of the future attitude of the Government, a formulation of that attitude now. We should thoroughly investigate these ancient systems of medicine, introducing Chairs into Medical Colleges for Oriental medicine and Chairs for all that is good in Oriental medicine. If that is not done, do what you like, the Oriental systems are bound to perish.”

**The Hon'ble Pandit Madan Mohan Malaviya :—**“I feel thankful, Sir, for the discussion which has taken place on this Resolution. I also feel thankful to the Hon'ble the Surgeon-General for the sympathetic support he has given both on his own behalf and on behalf of the Government on the subject. The duty of the Government in this matter is very clear. The Government finds that the systems in vogue in this country are the Unani and the Ayurvedic, and that millions of people resort for medical help to those who practise these two systems. It is, I submit, clearly the duty of the Government—a humane call on the Government—to see that those who practise these systems receive the best education that can be given to them, so that they may be able to render the utmost aid, and also to minimise the chances of their doing any disservice to the people they serve. In that view I agree with my friend, the Hon'ble Mr. Vijayaraghavachariar, that the object should not be to confine the system of education in the Ayurvedic and Unani systems to those who are to be educated in the proposed vernacular schools, but that there should be a proper recognition of the worth and utility of these systems. In order that it should be so, there are only a few facts which

RESOLUTIONS *RE* PLACING THE ANCIENT AND INDIGENOUS 349  
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EXHIBITION OF WAR FILMS IN SCHOOLS.

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have to be recognised. I think that the Resolution is somewhat unhappily worded in that respect, because it speaks of an investigation to find out whether the ancient and indigenous systems of medicine can be placed upon a scientific basis. I submit, Sir, that the true view would be that neither the Western nor the Eastern system of medicine rests very much on a scientific basis; or rather to put it in a different way, that the ancient and indigenous systems of India are not more scientific nor less scientific than the western system of medicine. But the fact is that the triumphs and discoveries which science has made have gone very much to serve and improve the western system of medicine. This is an undoubted and indisputable fact, and to that fact we ought all to be grateful. Surgery has made undoubtedly great strides. In that respect the ancient systems lagged; as my friend has pointed out, we have to bring up the knowledge of surgery in the ancient systems of medicine up to date by incorporating a knowledge of western science in that direction; but in the matter of *Materia Medica*, in the matter of diagnosis and treatment of disease, the ancient systems of medicine have a great deal yet which will compare favourably with any other system. I am not concerned here, nor am I qualified, to institute a comparison between the two systems of medicine. My object is to point out that, as the Government finds that in this vast country a very vast number of His Majesty's subjects do place faith in the ancient systems of medicine, do resort to it in ill-health and times of trouble, it is the duty of Government to see that those who practise these systems of medicine receive the best possible education which can be given to qualify them for their profession. In that view, I hope that the Resolution will be taken up by the Government, not from the point of view of placing the indigenous systems of medicine on a scientific basis, but by promoting a systematic study of those systems alongside of the study of western medical science. It is a matter for sadness that for a long time, one hundred years and more, this duty has not been pressed upon the attention of Government. It is a pity, but it is never too late to begin a new reform, and in this matter I am very thankful that Government have shown an attitude of sympathy and willingness to institute an inquiry into the subject. I only hope that that inquiry will not be in the futile direction of placing one or the other system of medicine on a scientific basis, but on enriching the indigenous systems, by incorporating all that is best in the modern system and all that is lacking in the ancient system, of blending them together in such a way, that it will serve mankind in the best possible manner to the benefit of the people and to the immense credit of Government. I strongly support the Resolution."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan :—**" Sir, I do not think it is necessary for me to make any speech at this stage. I must thank Sir Pardey Lukis and the Government of India that they have been pleased to accept my Resolution. I must also thank all my non-official colleagues for their support of my Resolution."

The Resolution was put and accepted.

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**RESOLUTION *RE* EXHIBITION OF WAR FILMS IN  
SCHOOLS.**

**The Hon'ble Mr. Dadabhoy :—**I beg to move the following Resolution :—

'That this Council recommends to the Governor General in Council that steps be taken by Government for the exhibition in all schools and colleges under Government control of the official war films, and for the introduction in them generally of the cinematograph for the impartation of instruction in hygiene, sanitation and agriculture.'

“I need hardly commend this Resolution to Hon’ble Members with any lengthy remarks. The utility of the cinematograph as an instrument of instruction is obvious. As Professor Gregory of Glasgow pointed out, it ‘is the most complete and the most vivid method of illustration.’ It is very useful in the teaching of geography and natural history. Besides, in the words of Professor Gregory—

‘In technical education the kinematograph promises to afford incalculable help. It will give medical students in all parts of the world the opportunity to observe special surgical operations, and to see them even better than they could do if present at the operation itself. It will, moreover, display costly industrial processes to students who have no chance of seeing them in actual practice’

“In America, France, Germany and Japan the cinematograph has been introduced in schools. The Americans disseminate useful knowledge about phthisis and other diseases, and the fly and mosquitoes through the cinematograph, and in Pennsylvania it is used to great advantage in agricultural and horticultural education. In England, doubtless, Government has not done much in the line, but political, charitable and municipal organisations requisition the services of the cinematograph for their special purposes. The Women’s Imperial Health Association communicates valuable information through the celluloid film. Its employment in schools for instruction is likely to be appreciated most in India, and the short experience we have had of it justifies the conclusion that it has already gained a firm hold upon the popular mind. It fits in well with the ancient traditions. The Sanskrit lore, the richest perhaps in the world, for centuries was transmitted from generation to generation by word of mouth, and representation either on the stage or in the village fair by means of shows has always formed one of the most effective agencies in the education of the masses. It is true according to the Western test of literacy as applied at present, the bulk of the people are submerged in ignorance, but so far as the high caste Hindu population is concerned, thanks to the efforts of the peripatetic expounders of the *shastras* and the great epics, and of the organisers of the village shows, there is a considerable amount of ethical and spiritual knowledge even among the common people which helps to imbue them with sober ideas and a lively sense of their duty towards their King and country and towards themselves, and gives them a general refinement. And this knowledge has survived through centuries of chaos, misrule, war, rapine and successive foreign aggressions. The Mahomedans also have similar agencies for popular education. They have their *mullahs* and their fairs from time immemorial. And not only that: They have been influenced to some extent by the Hindu institutions. It may be broadly stated that, barring the aboriginal tribes inhabiting the hills and the jungles, the people have depended more upon shows than anything else both for the education and the delectation of the masses. ‘Nature study’ similarly, about the necessity of which we hear so much nowadays, has been one of the principal courses of education in orthodox India. The *asrams* formed the schools of Hindu India, and situated as they were far away from the hubbub of the towns amidst hills or beautiful forests or on the banks of the mighty rivers, hill streams and rapids, the scene afforded the amplest opportunity to the Indian pupil to imbibe all that a rich and bountiful Nature has to impart to the earnest inquirer. Life in the *asrams* was in itself a course of study of inestimable value. But the order has changed; new factors have come into play, and the conditions of life and study of the present day have destroyed the corrective and ennobling influence of the indigenous system of education. And informed opinion is that this has not been all to the good. We have lost much that was valuable in the previous system. But the die has been cast; a reversion to the old methods is not to be seriously thought of. Sound progress will lie in the judicious use in the schools and the colleges of the great scientific inventions of the world, alongside of the conventional instruction through secular books, with additional instruction in religion wherever practicable.

“Now, Sir, the European War that is going on, the greatest in the history of the world, should not be lost upon the youthful section of the people of the

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country. The youths are the hope of the future; they will be our future citizens. Any effort to strike their imagination with the might of the great Empire of which India, through the wise Dispensation of Providence, forms an integral part, to instil in their minds a due sense of proportion, and to give them a proper idea of the responsibilities of the coveted Imperial citizenship, can never fail to have upon the country as a whole the most beneficial and abiding influence. Years ago, after the Chitral Expedition, a Military Tournament was arranged in Calcutta by Colonel Chatterton, and it was an effective demonstration of the military strength of this Indian Empire which appealed powerfully to the Bengal public. Even now as we discuss this resolution a Military Tournament is held in Calcutta for the War Fund. But the necessity of holding such Tournaments is no longer present after the introduction of the cinematograph. Every manœuvre, every little detail of the movements of colossal armies, the exploits of the invincible Royal Navy, which is the bulwark of the political independence and the commerce of the British Empire, the conveyance of war materials and provisions, the transport of troops and of volunteers going to the Front from India and His Majesty's Overseas Dominions under an impelling sense of duty,—in short, the numerous details of the huge machinery employed against the mighty forces of unscrupulous militarism, can be exhibited before the Indian public through the cinematograph at a minimum of cost and the maximum of profit. And it is of the first importance that the impressionable oriental youth should have laid before him the unique object lesson of this great War. It is desirable in the interest of law and order, it is necessary in his own interest that he should have an ocular demonstration of the military resources of the British Empire, and should have a correct idea of his insignificance against forces so highly organised and so large, as also of his important and dignified position as an Imperial citizen. Even the casualties will have their lessons. The war films are incalculably more valuable as instructors than the wounded soldier of the poet who could 'shoulder his crutch and show how battles are lost and won.' But we must necessarily have the official and authorised films. And Government can only reasonably be asked to exhibit these in the schools and the colleges under their control.

"Sir, the Resolution also recommends the introduction in them generally of the cinematograph with a view to impart instruction to the pupils in hygiene, sanitation and agriculture. Such instruction is admittedly absolutely necessary. Demonstration lectures on hygiene at least with the help of the magic lantern are familiar to us, and, as shown above, the cinematograph can be made to serve our purposes better than the magic lantern. Through it a continuous whole can be shown instead of individual parts by means of slides. And films can surely be made without much difficulty to demonstrate clearly and effectively sanitary methods and improved agricultural methods. The principles will be more readily grasped and much longer remembered by even the most careless student who feels bored and puzzled by dull and difficult text-books. The cinematograph so employed will increase the attractions of the public institutions, and will help to excite in the student a real interest in the subjects which cannot but be productive of the best of results. Dr. Bumpus of the Wisconsin University attaches great value to the cinematograph as an instrument of popular education.

"I should notice here two objections that are often raised to its employment in schools. It is said the exhibition is too trying to the eye and has a deadening effect upon the intellect by exposing too much. The first of these contentions is of dubious soundness and the second appears illogical. Experience does not lend support to the theory that the eyesight becomes damaged by following cinema shows. The other argument is, however, far more serious, but lacks substance. If demonstrations, pictures, maps and lantern lectures do not militate against the sound principle of education that the pupil should be encouraged to exercise his thought and imagination, it is difficult to see how visualisation by means of the cinematograph does. The principle is the same. On the contrary, these realistic shows, to my mind, dispel wrong notions.

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“The cost of the experiment, I believe, will not be prohibitive, and in view of the solid gain anticipated, is well worth incurring. Moreover, the whole thing can be managed economically if, instead of attempting to provide each school and college with an apparatus, important places are selected as centres, and exhibitions in all institutions within each centre are placed in the hands of peripatetic operators who will tour throughout their charge at regular intervals. It is likewise easy to recoup the maintenance charges as also the initial outlay by charging the pupils a small fee which nobody will grudge to pay.

“Sir, in consideration of all these facts I ask Hon’ble Members to adopt this Resolution. I am confident the suggested departure will be welcome to the people. It has already been mooted in the Press and by enthusiasts, and I ought to mention that, except as regards the suggestion of the employment of the cinematograph for instruction in agriculture, the Resolution follows the lines of the inspiring leaderette on the subject in a recent number of the *Times of India*.”

**The Hon’ble Mr. Mant:—**“I am sure that this Resolution will command general sympathy. Probably every Member of this Council who looks back on his school days will be able to recall some dull moments when he would have welcomed an order to put aside his lesson books and go to an exhibition of moving pictures. Whether this diversion would have been good for his education is another matter.

“The attitude of the Government of India towards the Resolution as a whole will, I understand, be explained by my friend Mr. Sharp. I propose to deal only with a small part of it, *viz.*, the idea of imparting instruction in *agriculture* by means of the cinematograph. The scope for activity in this direction is at present extremely limited. Agriculture is not taught at all in the ordinary schools, and, as the Hon’ble Mr Hill explained to the Council last week, the Conference on agricultural education recently held at Pusa came to the conclusion that all attempts to teach it as a subject in primary schools should be definitely abandoned. The accepted policy is to teach agriculture only at special schools and colleges, which are as yet very few and far between, though it may be hoped that one result of the Conference will be to increase the number of these schools.

“In one province, *viz.*, Bombay, a very promising start has been made with vernacular agricultural schools; but the success achieved has been chiefly due to the fact that the instruction is imparted on strictly practical lines. The boys actually cultivate the land themselves, and are shown how to do this to the best advantage. It is very doubtful whether the cinematograph would be a useful supplement to education of this kind. I understand that some films have been manufactured which will show a bud suddenly burst into flower. This is no doubt very wonderful, and it is possible that the advanced student may learn something from films illustrating the growth of plants. But to the ordinary school-boy such a picture would be of doubtful value. It is just as likely to bewilder as to instruct. By compressing one of nature’s slow processes into a few moments of time, it distorts the facts of nature, just as a concave mirror distorts the faces that it reflects. This sort of picture seems to me to be very similar to the performance of the conjurer who translates a mango seed into a tree. If it conveyed anything to the mind of the school-boy, it would probably give him the impression that flowers grow faster in Europe than they do in India. For the purpose of exhibiting pictures of plants, the magic lantern is, in many respects, superior to the cinematograph, as it does not misrepresent the facts, and the image can be kept on the screen while the teacher is explaining it. It is, moreover, cheaper, more portable, and much easier to work. The Agricultural Research Institute at Pusa is already doing a good deal in the way of producing lantern slides, especially those illustrating the life histories of Indian insects. The Institute has distributed over 500 of these slides to agricultural colleges, and has sent another 400 to Directors of Agriculture and to Agricultural Associations. On the outbreak of an insect-

[15TH MARCH, 1916.] [ *Mr. Mant* ; *Mr. H. Sharp*. ]

pest among crops, it has been found very useful to take a magic lantern to the locality and show the villagers slides of the insects concerned. We have some specimens of these slides in the Secretariat and I shall be very glad to show them to the Hon'ble Mover or any other Hon'ble Member who may care to see them.

"There are of course many agricultural operations which the cinema does not distort, and which it would be very useful to exhibit in India. If suitable films could be obtained, which is by no means an easy matter, the cinematograph would be an admirable medium for illustrating the working of agricultural machinery and numerous processes of manufacture subsidiary to agriculture; but exhibitions of this kind are, I think, more suited to a general audience and especially to the adult agriculturist than to boys at school. It is to be hoped that more films of this nature will gradually become available, as they would be of great value in giving the Indian cultivator a vision of the wide field of improvement that lies open to him. When one sees the rubbish that is ordinarily exhibited on the cinema, one cannot but feel that the public taste is bound to rebel against it, and to demand the presentation of more serious and useful subjects.

"I am so far, Sir, in sympathy with the objects of the Mover of this Resolution, but as I have already explained, I am doubtful of the advantage of introducing the cinema as a part of the curriculum in our agricultural schools and colleges. There is also a serious objection, which, it seemed to me, was somewhat lightly dismissed by the Hon'ble Mr. Dadabhoy, *viz.*, that the cinema constitutes a grave danger to the eye-sight of the rising generation. My friend, Mr. Sharp, will be able to give the Council more precise information on this point, and he may perhaps be able to devise an amended form of Resolution which would be acceptable to the Government. As the Resolution at present stands, I am afraid that, from the point of view of the Department of Agriculture, I cannot support it."

**The Hon'ble Mr. H. Sharp:**—"I understand that the general intention of this Resolution is the encouragement of visual instruction. Any such movement is to be welcomed, and is indeed fully in accord with the policy of the Government of India as declared in their Resolution of 1913. I should like to take this opportunity of recounting very briefly some of the steps which have been taken to this end.

I think I may say that all provinces are now fairly supplied with wall pictures for schools and with magic lanterns. I can certify from experience that some provinces have long been supplied with these things, and that inspecting officers carry lanterns about with them and exhibit them even in the village schools. I can best give an idea of what is being done by referring Hon'ble Members to a press note issued by the Government of Bombay on the 4th August, 1914. It shows the following facts—

"In 1910, the Director in Bombay urged that the lantern should be used as an aid to the study of history, geography and science, and further, in conjunction with touring officers of the Agricultural and Sanitary Departments, for the display of agricultural and sanitary facts and principles. Every Government high school and training college was accordingly provided with a good lantern, and a collection of slides was accumulated. Next, Deputy Inspectors of schools and some of their assistants were provided with lanterns and slides for the promotion of general and sanitary knowledge in primary schools in rural areas. A sum of Rs. 20,000 was sanctioned for this purpose, and an officer was placed on special duty to instruct the teaching and inspecting staff. But, since lantern displays cannot be of frequent occurrence in village schools, it was decided to supplement them with sets of stereoscopic pictures, and to provide for every three Local Board schools a set of two stereoscopes and a number of stereoscopic pictures. Two sets, each of 250 pictures, have been prepared—one for primary schools to illustrate the readers, the other for secondary schools. Each Board school possesses 36 pictures out of a set interchangeable with other parts of the set. Each secondary school has a full set of 250.

[ *Mr. H. Sharp.* ]

[ 15TH MARCH, 1916. ]

“ I am not aware whether other provinces have thus specialised in stereoscopes. But this description from the Bombay Presidency gives a good idea of what is being done by Departments of Public Instruction in regard to lanterns.

“ Again, with reference to hygiene and sanitation, which are specially mentioned in the Hon'ble Mr. Dadabhoy's Resolution, the Hon'ble Sir Pardey Lukis and the Sanitary Commissioner have kindly supplied me with a good deal of information regarding what is being done. Thus Major Glen Liston says that, at the Bombay Bacteriological laboratory, he has a collection of ten cinematograph films illustrating medical subjects. He is anxious to prepare his own films, and the Government of Bombay have sanctioned money for a camera. There is also an ample stock of slides at Parel, and illustrated lectures have been prepared on various subjects—plague, dracontiasis and tuberculosis. A set of about 165 slides on hygiene has been collected in Simla. Sets of slides dealing with sanitation are now for sale with private firms, and this fact has been brought to notice. Further, the Sanitary Commissioner has provided me with a description of what is being done in Bengal. Three Assistant Surgeons are attached to the Education Department, and provided with a lantern and a set of slides dealing largely with malaria and its prevention. The Sanitary Department also has two lanterns and three or four complete sets of slides on malaria for loan. These lanterns are also used for giving lectures at agricultural fairs. Now all this shows that a good deal is being done. But this Resolution would go further than lanterns and stereoscopes, and raises the question of the cinematograph and education. Quite a lot has been written on this subject. I propose briefly to state how the question stands at present.

“ The cinematograph appears to have a certain vogue in schools of some countries, especially in the United States; and some American writers consider it an admirable adjunct to education. On the other hand, many opinions have been expressed unfavourable to the use of the cinematograph in schools. There is, in fact, considerable divergence of opinion on the subject. I need not multiply instances. But a report made by the Chairman and Director of Education to the Lancashire Elementary Sub-Committee states that, with very few exceptions, all the teachers interrogated on the subject agree that the shows are detrimental to children. An investigation made at a normal training school in the state of Ohio resulted in nearly all the pupils declaring that they were the worse for these displays, and were afflicted with head-aches and eye-strain. A Conference considered the matter in 1913. It was found that the experts were divided as to the educational value of the cinematograph. The London County Council decided not to proceed with its experiments at the Polytechnics. I should add that I have gathered these facts not from official sources, but from educational periodicals from time to time.

“ Why should there be these misgivings about the cinematograph? At first sight, its advantages would appear to be obvious. It interests children, who naturally love movement and colour. It can make a dull lesson pleasing. It is an advanced form of visual instruction, and it is useful for demonstration in some higher forms of professional training. Moreover, in what has been written on the subject, there is a good deal which shows that it is recognised that the cinematograph has come to stay, and is taking an ever increasingly important part in town life, and that therefore it is better to organise displays for children on suitable lines rather than allow them to seek recreation in cinematograph halls where the displays are not arranged with reference to the requirements of children. This last is of course a negative argument, and is not necessarily flattering to the cinematograph. But, on the other hand, it is urged that there are positive dangers about the cinematograph in schools. The displays tend to bring children together in crowded and perhaps ill-ventilated rooms. *Pace* my Hon'ble friend, evidence shows that attendance at the cinematograph has a detrimental effect on the eyes and even the nerves of children. Only the other day, I observed in a leading article in one of the best known papers in India, a statement that the eye-strain resulting from the cinematograph is demanding

[15TH MARCH, 1916.] [ *Mr H. Sharp.* ]

the close and critical attention of all physicians who have a care for the rising generation I understand that efforts are being made to overcome these physical disadvantages. But there is also doubt about the mental effect. The cinematograph is exciting. It stimulates, but does not arrest, attention. The realistic nature of the films leaves too little to the work of the imagination, and I hold that the imagination is one of the most potent faculties in the young, and a faculty for the development of which complete representation is an actual error. Again, the Sanitary Commissioner tells me, as the result of experience, that, in matters of sanitation, for rural tracts, the simpler and cruder the picture the better is the result obtained. There are also difficulties of other kinds. The production of suitable films is not easy. It is not a paying proposition compared to that of popular films. The subjects require very special treatment. In order to illustrate this difficulty, I had intended to read a passage from one of the reports of the Commissioner of Education at Washington, the writer of which is an enthusiast on the educational use of the cinematograph. But it is late and the passage is long, and I must content myself with saying that it shows that it is difficult to procure films which give a faithful representation of facts (a point made in Mr Mant's speech also); indeed, that children sometimes ask the teachers which they are to believe—the text-book or the cinematograph; and that the supply of films is inadequate, the distributing agents being interested in the popular side of the business, which is more lucrative. Indeed, it seems that at that time no manufacturer in America turned out educational films in sufficient quantities, though films were procurable from England, France and other European countries.

“Again, there are other things. The cinematograph is not so easy to work or to lecture to as are the commoner forms of visual instruction. The cost of a good film may run into hundreds of pounds, and of its loan into thousands of rupees, and I may add that films do not last for ever and in fact are rather destructible. Some idea of the cost involved may be gathered when I state that the comparatively simple devices which I have described as in use in the Bombay Presidency for visual instruction have already cost considerable sums. In that Presidency, Rs. 36,000 has been spent in purchasing lanterns, and I find that a lakh of rupees was sanctioned for the supply of stereoscopes and stereoscopic pictures to schools. How much more expensive would be the supply of the cinematograph? And, I may add, only a few can participate in the cinematograph displays, whereas lanterns and stereoscopes can be freely distributed over the country, since these smaller forms of instruction can be easily carried about even in remote places.

“These are the main reasons why there is still doubt as to the educational use of the cinematograph. I am assured that it is not of special value as regards sanitation and hygiene, though it is of value in medical instruction as the Hon'ble Mr Dadabhoy has rightly pointed out. For sanitation and hygiene, the lantern is probably a more effective instrument. As regards agriculture, Mr. Mant has already spoken about it. Those who favour the cinematograph for educational purposes seem to think it is best applied in teaching geography, history, and natural history.

“The other part of my Hon'ble friend's Resolution, which deals with official war films, stands on a somewhat different footing. The existence of these films had already been brought to the notice of the Government of India, and the matter is under consideration. Intimation of their existence has already been given to at least one of the leading cinematograph firms in India, and Local Governments will probably be asked to lend official patronage to the displays. It is improbable that Government will take a direct hand in importing these films; nor is this necessary. For the cinematograph has attained a great popularity in India; the number of halls is rapidly spreading; and the firms engaged in these displays are in a strong position, and quite capable of purchasing even expensive films. No detailed arrangements have yet been decided upon. The displays will presumably be confined to the public cinematograph halls, and I myself hope that facilities will be given for students to see these displays under favourable conditions.

[*Mr. H. Sharp; Pandit Madan Mohan Malaviya; The Vice President; Mr. Dadabhoy.*] [15TH MARCH, 1916.]

"The general position regarding the cinematograph in schools is this. The Government of India are not convinced that this method is the best for instruction, or is even free from harm. Much has already been done in the way of lantern slides and other forms of visual instruction. The suitability of these methods is unquestioned. The still picture arrests attention, and is easier to lecture about. The lantern and the slide are comparatively easy to work. The cost of the cinematograph for general purposes is prohibitive. The cost of a valuable film would probably build a dozen excellent primary schools. But even if there were not these objections, it is held by some authorities that the effects of the cinematograph on children are physically and mentally deleterious. Anyway, the still picture offers a more effective method for teaching the subjects which are specially mentioned in this Resolution, and the production of suitable educational films presents difficulties. At the same time, there is no harm in permitting experiments to be made. The Government of India have put a private agency, whose object is the display of educational films for pupils, into touch with Local Governments, and though I have no official information, I understand that some of the Local Governments are rendering assistance to this firm. I noticed a passage which appeared only the other day in the *Madras Mail*, which states that the Burma Educational Syndicate have said they are not in favour of the Education Department taking any action for the introduction of the cinematograph as a means of education, but considered that Managers of schools should be approached and arrangements made with them.

"In so far then as the Hon'ble Mr Dadabhoy's Resolution represents a plea for visual instruction, it is to be welcomed as springing from the most wholesome and refreshing motives. But the Government of India would prefer to await the results of the experiment I have just mentioned, further information as to the progress of the educational cinematograph in other countries and success in the production of educational films, before accepting a Resolution which would commit them at this stage to the use of the cinematograph in schools. I am authorised to say that the Government of India are, therefore, unable to accept the Resolution in its present form. But if my Hon'ble friend will withdraw his Resolution, and will put it forward in a slightly modified form, it can then be accepted. The form suggested is as follows:—

'This Council recommends to the Governor General in Council that steps be taken by Government for the exhibition of the official war films, and that special facilities be given to pupils of Government institutions to attend these exhibitions, and that encouragement be given to the development of visual instruction in schools and colleges under Government control.' "

**The Hon'ble Pandit Madan Mohan Malaviya :—**"Sir, I should like my friend the Hon'ble Mr. Dadabhoy to say whether he is going to accept the amendment so that others who wish to speak may do so before him."

**The Hon'ble the Vice-President :—**"The first point to settle is, what the form of the Resolution is to be. I will ask the Hon'ble Mr. Dadabhoy to say whether he wishes to press his original Resolution or to withdraw it, and to move this fresh one."

**The Hon'ble Mr. Dadabhoy :—**"I shall accept the amended Resolution."

The Resolution was, by permission, withdrawn.

**The Hon'ble the Vice-President :—**"The motion now before the Council is—

'That this Council recommends to the Governor General in Council that steps be taken by Government for the exhibition of the official war films, and that special facilities be given to pupils of Government institutions to attend these exhibitions, and that encouragement be given to the development of visual instruction in schools and colleges under Government control.'

[15TH MARCH, 1916.] [ *Pandit Madan Mohan Malaviya ; Mr Dadabhoy.* ]

**The Hon'ble Pandit Madan Mohan Malavia.**—"I rise, Sir, to protest against the time that is being wasted by this Council in the consideration both of the Resolution as it stood originally and in the form in which it is now proposed. It will give an indication to the world that, in these days of war, we have nothing more serious to discuss than the question of the employment of cinematographs in schools, and that the Council has sat for an hour and a half listening to the discussion of a subject which could have been much more easily settled by correspondence.

'I only want to add this: I think the Resolution, in the form in which it has been altered now, is a very different Resolution from what the Hon'ble Mr Dadabhoy proposed. Holding that view, I object to a Resolution which has been materially altered being suddenly sprung upon the Council. The Hon'ble Mr. Sharp has given it as complete a change as could be given by putting in the words 'the encouragement of visual instruction' at the end of the Resolution. As explained in his speech, we understand what the encouragement of visual instruction means in that Resolution, but the Hon'ble Mr Dadabhoy made it very clear that he was referring to visual instruction of a definite kind. On that point, the Government have completely refused his Resolution, and I think, Sir, it is best, in these circumstances, that, as the Hon'ble Mr. Dadabhoy has withdrawn his first Resolution, he ought to have time to consider whether he will bring this Resolution in the form proposed by the Hon'ble Mr. Sharp for further consideration by this Council. At any rate, as a humble member of this Council, I request you, Sir, not to allow the Resolution in the altered form to be put before the Council, so that our time may not be taken up at this juncture with it any more."

**The Hon'ble Mr. Dadabhoy:**—"Sir, I have not been quite able to follow the line of argument of my friend the Hon'ble Pandit Malaviya. My Hon'ble friend protested against my having withdrawn the original Resolution and accepted the modification suggested by Government. I do not think that, by acquiescing in this arrangement, I have departed from the usual practice. In fact, my friend the Hon'ble Pandit Malaviya has oftener than myself accepted amended Resolutions before this.

"I shall now explain the circumstances under which I am constrained to accept this amended and modified Resolution. I was unwilling in the first instance to accept this modified Resolution; but if I had the alternative placed before me of either my Resolution in its original form being rejected, or some form of visual knowledge being imparted, I should certainly prefer the latter. Instead of having nothing, at least let us see that Government moves in this direction. And once the Government moves it will find hereafter the advantages of the scheme, and will perhaps be prepared to go further along the line we wish. I am therefore unable to follow either the line of argument adopted by my Hon'ble friend or his criticisms on the subject.

"Now, Sir, the Council has received some very interesting information both from the Hon'ble Mr. Mant and the Hon'ble Mr. Sharp. The Hon'ble Mr. Mant has explained to us with a reference to the Hon'ble Mr. Hill's speech the other day introducing certain heads of the Financial Statement, that special schools are few and far between, and that the Government is not in a position to introduce this method of instruction in the Department of Agriculture. I am sorry that the Government of India is not convinced of the desirability of this form of instruction. However, it is the same old story. The Government of India is slow; it prefers to adhere to its own antiquated methods; it is not like other Governments which move more quickly in these matters. We have got the example of America; we have got the example of Japan; and we find that in those places this form of instruction has been introduced with great success. I am sure if a similar experiment had been tried in this country, the Government would have found it to be equally successful. However, as I said, it is a matter of difference of opinion.

[ *Mr. Dadabhoy ; Pandit Madan Mohan Malaviya ;* [ 15TH MARCH, 1916.]  
*The Vice-President.* ]

“ From the interesting speech delivered by my friend, the Hon’ble Mr. Sharp, it appears that he is a lover of the magic lantern ; he prefers the magic lantern to the cinematograph. Here, again, opinion is very much divided. However, from the latter portion of his speech it appears that the Government has already started inquiries regarding this matter and opinions are being collected. Reading between the lines of his speech, it clearly appears to me that, sooner or later, the Government will come to a final decision in the matter, and very probably a year or so after, they will decide to introduce the cinematograph in schools. However, so far as the wording of the Resolution which has been placed before me for my acceptance by the Hon’ble Mr. Sharp goes, I do not find anything objectionable in it. It certainly does not meet my case ; it curtails the scope of my Resolution to a very material extent ; but, as I have said, I feel convinced that if a small beginning is made by the Government in this matter now, later on, when some experience has been gained and after they have ascertained the cost that will be involved in the experiment, they will come round to my way of thinking.

“ Under these circumstances, I think it advisable to accept the amended Resolution, though it very much curtails my original Resolution. In hopes of future, further and wider action I accept this modified Resolution, namely :—

‘ This Council recommends to the Governor General in Council that steps be taken by Government for the exhibition of the official war films, and that special facilities be given to pupils of Government institutions to attend these exhibitions, and that encouragement be given to the development of visual instruction in schools and colleges under Government control.’

“ I only wish to add that I hope the suggested departure will mark the beginning of a new system of imparting instruction, and that later on, if it proves successful, Government, in its generosity, will also see the advisability of extending its scope and this boon to private institutions and schools.”

**The Hon’ble Pandit Madan Mohan Malaviya :—**“ I want to speak on the amended Resolution, Sir.”

**The Hon’ble the Vice-President :—**“ I do not think the Hon’ble Member will be in order in doing that. This is now the final stage.”

**The Hon’ble Pandit Madan Mohan Malaviya :—**“ May I submit, Sir, that the Resolution as amended is a new Resolution, and that every one of us is entitled to give his opinion for and against it. I request that you will kindly rule on this point, *i.e.*, whether we are or are not entitled to speak. It is an entirely new Resolution that was put just now.”

**The Hon’ble the Vice-President :—**“ I admit the point. The Hon’ble Member can speak.”

**The Hon’ble Pandit Madan Mohan Malaviya :—**“ I only want to say a few words, and that is to add my strong protest against any money being spent even in the way suggested in the amended Resolution. We want every pie we can get for primary education. We are not in a state when any money can be spent on cinema shows ; and when there is, as evidenced in the speech of the Hon’ble Mr. Sharp, strong objection to the cinematograph being displayed to young students, I submit that the Government will be pleased to consider the matter much more seriously than has been done, and not send out a recommendation to Local Governments which will encourage them in incurring any expenditure on cinematograph shows, or in encouraging young students being brought to face the glare which is certainly injurious to their eyes and which is not very helpful in other ways. That is all I have to say.”

**The Hon’ble Mr. Dadabhoy :—**“ Am I not entitled to speak on the Resolution in reply to the remarks just made by the Hon’ble Pandit Malaviya ?”

RESOLUTIONS *RE* EXHIBITION OF WAR FILMS IN SCHOOLS, 359  
AND THE PLACING ON THE TABLE OF THE CORRESPONDENCE RELATING TO THE RECOMMENDATIONS OF THE DECENTRALISATION COMMISSION.

[ 15TH MARCH, 1916.] [ *The Vice-President; Mr. Dadabhoy; Pandit Madan Mohan Malaviya* ]

**The Hon'ble the Vice-President:**—“The Hon'ble Member is entitled to speak, but the subject is very nearly exhausted.”

**The Hon'ble Mr. Dadabhoy:**—“I just want to say one word more about the question of expenditure. I am sorry that my Hon'ble friend, Pandit Malaviya, cannot see eye to eye with me. His ideas of all education is by books, conferences, societies and that sort of thing. He underestimates apparently the value of the instruction to be received by means of the cinematograph. This is one of the most important methods, and it has been recognised as such in every educated and advanced country. If my Hon'ble friend will study the educational history of such a country as Japan, he will find the progress that has been made there by the utilisation of the cinematograph. I say that is a complete justification of any reasonable expenditure which the Government may have to incur in this matter. It will pay Government tenfold by making citizens that are better informed, more loyal and having a knowledge of their responsibilities and duties.”

The Resolution, as amended, was then put and accepted.

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**RESOLUTION *RE* THE PLACING ON THE TABLE OF THE CORRESPONDENCE RELATING TO THE RECOMMENDATIONS OF THE DECENTRALISATION COMMISSION.**

**The Hon'ble Pandit Madan Mohan Malaviya:**—“Sir, I see that in answer to a question put this morning by my friend the Hon'ble Mr. Banerjee, important papers with which my Resolution is concerned, have already been laid on the table. In these circumstances, I beg leave to withdraw the Resolution, with liberty to bring it in another form if I feel so advised, namely.—

‘That this Council recommends to the Governor General in Council that the correspondence between the Secretary of State and the Government of India, and also that between the Government of India and Local Governments relating to the recommendations of the Decentralisation Commission contained in Chapters 19 and 20 (Rural Boards and Municipalities) be placed on the table of this Council.’

The Resolution was, by permission, withdrawn.

The Council then adjourned to the next day, Thursday, the 16th March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,  
Legislative Department.*

DELHI ;

*The 22nd March, 1916.*



## APPENDIX A.

(Referred to in Answer to Question 1.)

Statement showing the population and the death-rate from fevers, plague and cholera for each province and for the whole of British India for five years ending 1914.

Province with population under registration.	Years.	DEATH-RATE PER MILLE FROM		
		Fevers.	Plague.	Cholera.
MADRAS.				
Census of 1901 . . . 36,742,903	1910	8.7	.1	.9
Census of 1911 . . . 40,347,357	1911	7.4	.4	1.4
40,347,357	1912	7.6	.2	2.3
40,005,735	1913	6.7	.1	.9
40,005,735	1914	7.7	.2	1.7
BOMBAY.				
Census of 1901 . . . 18,481,362	1910	14.26	1.35	.20
Census of 1911 . . . 19,587,383	1911	11.38	5.13	.30
19,587,383	1912	14.62	1.48	3.29
19,587,383	1913 .	12.58	1.29	.26
19,587,383	1914	13.23	1.02	.91
BENGAL.				
Census of 1901 . . . 50,521,604	1910	20.42	.92	3.21
Census of 1911 . . . 52,468,818	1911	20.60	1.44	2.37
For the province as reconstituted. 45,329,247	1912	21.16	.04	2.10
45,329,247	1913	21.30	.02	1.74
45,329,247	1914	23.40	.01	1.96
EASTERN BENGAL AND ASSAM.				
Census of 1901 . . . 29,812,735	1910	23.31	.001	3.95
Census of 1911 . . . 33,229,865	1911	18.82	.0008	1.18
BIHAR AND ORISSA.				
Census of 1911 . . . 34,290,633	1912	18.80	1.70	2.24
34,290,633	1913	18.18	1.06	2.05
34,490,038	1914	17.7	1.8	.9
ASSAM.				
Census of 1911 . . . 6,051,507	1912	12.94	...	2.36
6,051,507	1913	14.43	...	2.71
6,051,507	1914	13.75	.0001	1.53
UNITED PROVINCES.				
Census of 1901 . . . 47,691,782	1910	27.07	3.31	2.15
Census of 1911 . . . 46,835,108	1911	27.94	7.09	2.51
46,835,108	1912	20.66	2.45	.40
46,835,108	1913	23.88	2.30	1.29
46,835,108	1914	22.43	2.22	.69

Statement showing the population and the death-rate from fevers, plague and cholera for each province and for the whole of British India for five years ending 1914—contd.

Province with population under registration.	Years.	DEATH-RATE PER MILLE FROM		
		Fevers.	Plague.	Cholera.
PUNJAB.				
Census of 1901 . . . . . 20,108,690	1910	17·10	6·74	·11
Census of 1911 . . . . . 19,731,722	1911	15·33	8·39	·06
19,337,146	1912	14·22	1·54	·09
19,337,146	1913	17·15	·92	·30
19,337,146	1914	17·87	3·31	·34
BURMA.				
Census of 1901 . . . . . 8,543,753	1910	9·37	·91	·24
Census of 1911 . . . . . 9,878,593	1911	7·71	·61	·42
9,855,853	1912	8·72	·31	·73
9,855,853	1913	8·42	·44	·44
9,855,853	1914	7·72	·76	·21
CENTRAL PROVINCES AND BEHAR.				
Census of 1901 . . . . . 11,970,201	1910	21·43	2·42	·44
Census of 1911 . . . . . 13,916,308	1911	16·85	2·01	·22
13,916,308	1912	19·41	1·38	2·43
13,916,308	1913	14·05	·04	1·10
13,916,308	1914	16·86	·06	1·46
NORTH-WEST FRONTIER PROVINCE.				
Census of 1901 . . . . . 1,908,184	1910	13·53	·02	·84
Census of 1911 . . . . . 2,041,077	1911	17·48	·12	·01
2,041,077	1912	16·11	·001	·65
2,041,077	1913	18·52	·04	·08
2,041,077	1914	19·04	·03	1·13
COORG.				
Census of 1901 . . . . . 180,607	1910	31·65	·05	·31
Census of 1911 . . . . . 174,976	1911	26·03	·33	·03
174,976	1912	32·56	·05	...
174,976	1913	26·20	·06	1·10
174,976	1914	27·44	·06	...
AJMER-MERWARA.				
Census of 1901 . . . . . 476,912	1910	31·80	13·67	...
476,912	1911	34·95	·72	·10
Census of 1911 . . . . . 501,395	1912	27·80	·03	...
501,395	1913	21·71	...	...
501,395	1914	25·38	...	·02

*Statement showing the population and the death-rate from fevers, plague and cholera for each Province and for the whole of British India for five years ending 1914—concl'd.*

Province with population under registration.	Years.	DEATH-RATE PER MILLE FROM			
		Fevers.	Plague.	Chole a.	
DELHI.					
396,997	1913	26·18	·50	·09	
396,997	1914	21·33	·03	·03	
BRITISH INDIA.					
Census of 1901 . . . . 226,438,733	1910	19·17	1·83	1·90	
Census of 1911 . . . . 238,688,119	1911	17·63	3·07	1·48	
238,661,346	1912	16·50	1·10	1·71	
238,323,365	1913	16·71	·83	1·24	
238,522,770	1914	17·16	1·12	1·18	

**APPENDIX B.***(Referred to in Answer to Question 2.)*

India Office, London,  
11th July 1913.

Revenue,  
No. 83.

**To His Excellency the Right Honourable the Governor-General of India in Council.**

MY LORD,

I have examined with interest the letter from Your Excellency's Government of the 6th March 1913, no. 4-  
Recommendations of the Royal Commission on  
Decentralisation on the subject of Municipalities  
in India. Education, and its enclosures, in which  
 you deal with the recommendations of the  
 Royal Commission on Decentralisation on the subject of municipalities in  
 India. You report that, as a result of a fresh examination of the whole ques-  
 tion, you find evidence that there has been a steady advance in the efficiency of  
 local bodies, and that future prospects are generally hopeful, and you forward a  
 summary of the observations of local Governments on the specific recommenda-  
 tions of the Commission

2. I see clearly the magnitude of the obstacles that have to be overcome before India can acquire in any great or general measure the public opinion on local affairs, and the will and ability to cope with municipal duties, that exist in Western countries, but it is also true that no progress can be expected if the question is approached in too cautious a spirit. You refer to the position of local Governments as immediately responsible for efficient administration, and propose in addressing them to indicate your assurance that it will be found possible in the more backward provinces to proceed steadily on the general lines of advance laid down by the Commission, and while maintaining all essential control to abstain from all unnecessary interference in matters of detail, and in particular to relieve officials of their municipal duties whenever possible. I agree that any attempt to exact uniformity in local administration, or to apply wholesale to existing conditions the general recommendations of the Commission, would be foredoomed to failure; and I fully concur in the view that local Governments must be left to decide how far the circumstances of their provinces admit of an advance towards the management by the people of their own local affairs. I also recognise that something has been done in recent years of plenty to give full effect to the policy of freeing municipal revenues from certain charges which more properly fall on Government, *e.g.*, for Police, and I am glad to observe that Your Excellency's Government are separately considering the possibility of giving further effect to the suggestions of the Commission in paragraph 833. The principle stated in paragraph 818 of the report, on which these suggestions are based, is in my opinion sound.

3. There are, however, certain large considerations that appear to me of importance in dealing with municipal administration, and I notice in the papers forwarded with your letter indications that these may not be fully appreciated at present by some authorities.

4. Your Excellency's Government has given many pledges of an anxiety to promote, in municipal as in other areas, the development of sanitation and education as matters of Imperial concern. But the success of these great movements depends, not merely on financial grants and the provision of expert officers, but on the extent to which the people can be brought to help in furthering them, not only individually but also collectively. The existence, therefore, throughout the country of moderately efficient municipal institutions is, as it appears to me, a necessary condition of permanency in the success of your efforts. Expert control is, as remarked in paragraph 4 of your letter, necessary

to efficiency in these matters, but it cannot take the place which should be occupied by interested and active municipal authorities. You refer to the fact that in the resolution of the 18th May 1882 the promotion of municipal and local self-Government was described as an instrument of political and popular education, and as being chiefly desirable from this point of view. It may also from one point of view be regarded as an extension of Lord Mayo's scheme of financial decentralisation and an endeavour to provide local agencies to take charge of local services of sanitation and elementary education, and some support to the suggestions of the Commission in paragraph 837 may be found in such a line of argument. I think it desirable that the attention of local Governments should again be drawn to the consideration that any permanent success of your efforts in the direction of sanitary and educational progress depends largely on the extent to which it is found possible to foster the vitality of municipal authorities.

5. However that may be, it was recognised in 1882 that the movement was not directed primarily to immediate improvement in administration, but to the attainment of an efficiency based on intelligent co-operation of the people themselves in the sphere of public duty affecting their daily needs, and it was foreseen that failures would doubtless occur. Failures have occurred, and may still be expected; but there have also been encouraging successes, and the former should not be allowed to weigh too heavily against the need to enlist the co-operation of the people and their representatives in the improvement of sanitation and education. Such co-operation must rest on an interest in the work and a feeling of responsibility, and these in turn can only be secured by entrusting to municipalities an adequate sphere of work, adequate funds, and sufficient powers of decision in respect of both. In this connection I would suggest for your consideration, with reference to paragraphs 836 and 837 of the Commission's report, and to paragraph 7 of your letter, that it may be found that earmarked grants for sanitation and education are less fruitful in the long run in fostering the growth of responsibility than local self-Government grants as to which the local bodies have discretion. On the other hand, the risk attending unearmarked grants can hardly be regarded as a very serious one, since the sphere of municipal work as described by the Commission in paragraph 816, is such that their expenditure must directly or indirectly promote sanitation or education.

6. I request that you will give weight to these remarks in addressing the local Governments as to the opinions which form an enclosure to your letter under reply. I do not propose to discuss these opinions in detail, since I accept your view that the local Governments must decide, in consultation with you, how best to foster and adequately finance municipal self-government within their provinces.

7. I accept your proposals on the subject of the Presidency municipalities and Rangoon, and would only remark that in such cities, where there is a responsible public Press and representation in the Provincial Councils, the case for entrusting large powers and extended freedom to the municipal bodies appears to be specially strong.

I have the honour to be,

MY LORD,

Your Lordship's most obedient humble Servant,

(Signed) CREWE.

India Office, London,  
25th December 1914.

Revenue,  
No. 181.

**To His Excellency the Right Honourable the Governor-General of India in Council.**

MY LORD,

I have considered in Council Your Excellency's despatch in the Education Department, no 15, dated the 1st October 1914, on the subject of the recommendations of the Royal Commission on Decentralisation in connection with Rural Boards in India.

Recommendations of the Decentralisation Commission as to Rural Boards

2. The method which you propose to adopt in dealing with these recommendations follows the principle laid down by Your Government, and accepted by me, in dealing with the Commission's recommendations as to municipalities, *viz*, that no attempt should be made to exact uniformity in local administration, but that local Governments should be left to decide how far the circumstances of their provinces admit of an advance. I note that the local Governments have expressed willingness to accept to a large extent the financial recommendations of the Commission, and I agree that the measure of progress accepted by the local Governments may be regarded as sufficient for present requirements. But while I would deprecate any attempt to bring pressure to bear on local Governments to induce them to adopt larger measures of advance than they have themselves decided upon, I regard it as important that the Central Government should exercise watchfulness in the matter, and should be ready to help and foster every genuine sign of growth from below. In particular, I desire to associate myself with the view expressed by your Government in paragraph 4 of your circular letter of the 23rd September 1914 that the present restrictions on the powers of Rural Boards with regard generally to budget expenditure and establishment should be gradually relaxed with due regard to local conditions and requirements.

3. I notice that in one respect your Government depart from the principle of not attempting to prescribe uniformity. In addressing the local Governments you have expressed the opinion that it is desirable for every District Board to have a competent engineering staff of its own, suggesting for consideration that in cases in which the finances of the Boards do not permit of the maintenance of a separate staff, a District Engineer corresponding more or less to an Executive Engineer might be placed in charge of two or more districts, and similarly that an officer corresponding more or less to a Superintending Engineer might be placed in charge of two or more divisions or other extended area. It appears to me that the necessities of the case are adequately met by the recommendation of the Commission, which was merely that in districts where there are sufficient works falling under Rural Boards to justify the special appointment of a trained Engineer, a District Board which desires to entertain such an officer, and can afford to pay him an adequate salary should be permitted to do so. The local Governments have, generally speaking, expressed unwillingness to make any material advance in this matter, and I see no good reason for urging them to do so, especially as the question is largely one of administrative economy, and the measure recommended by your Government may, in some instances, lead to uneconomical duplication of establishment.

I have the honour to be,

MY LORD,

Your Lordship's most obedient humble Servant,

(Signed) CREWE



GOVERNMENT OF INDIA  
LEGISLATIVE DEPARTMENT

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PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

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The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Thursday, the 16th March, 1916.

PRESENT :

The Hon'ble SIR WILLIAM CLARK, K.C.S.I., C.M.G., *Vice-President, presiding,*  
and 47 Members, of whom 41 were Additional Members.

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**RESOLUTION *RE* AMELIORATION OF THE DE-  
PRESSED CLASSES.**

**The Hon'ble Mr. Dadabhoy :—**“ Sir, I beg to move :—

‘ That this Council recommends to the Governor General in Council that measures be devised with the help, if necessary, of a small representative committee of officials and non-officials for an amelioration in the moral, material and educational condition of what are known as the Depressed Classes, and that, as a preliminary step, the Local Governments and Administrations be invited to formulate schemes with due regard to local conditions.’

“ From the last census returns it is difficult to find out easily the classes, castes and tribes that would fall within the group of Depressed Classes, and *ergo* the number of men who belong to them. In the lowest strata of Indian society there are three classes of men who are as much depressed as any other class, but they are not usually known as the Depressed Classes. The aboriginals, the criminal and wandering tribes, and the Mahomedan *ajlaf* and *arzul* stand out of the group, and only the ‘untouchables’ among the Hindus have come to be identified with the Depressed Classes. Again, there are other numerous castes of Hindus with varying degrees of social disability,—the

[ *Mr. Dadabhoy.* ]

[16TH MARCH, 1916.]

inferior and the unclean sudras of the classification of 1901—who might well claim our care, attention and sympathy; but their case does not come within the scope of the present Resolution, and perhaps time and education are slowly, but steadily, solving the problem for them. The four classes noted above have a total strength of nearly 70,000,000 souls, or a little less than a quarter of the total population. In the classification according to religion the aborigines would mostly come under the group of animists who number, according to the last census, over 10 millions, of whom 7,348,024 live in British India, and 2,947,144 in the Feudatory States. Some of them might come under the other head of ‘beggars, vagrants, procurers, receivers of stolen goods and cattle prisoners’; but the wandering and criminal tribes are most of them within this group, and their number, notwithstanding the variation since 1901, is still large. In 1901, the *ajlaf* and the *arzul* together numbered 12,523,982, and the Hindu untouchables numbered over 50,670,000. If the classes increased during the subsequent decade at the same rate as the general population, the numbers must now be over 13 millions and 54 millions respectively. Of these latter 42½ millions belong to British India, while the aborigines within the same area are six millions in number. The reclamation and elevation of these various classes ought to be our chief concern. If India has to make a sound progress as a whole, the moral and material condition of the people in the lowest rungs cannot surely be neglected or even regarded with benevolent indifference. But somehow the problem has not so far been tackled with that earnestness of purpose and determination which a conviction of its gravity and its supreme importance to the welfare of the body politic could ensure. After long years the educated Indian is slowly waking up to the grim realities of the situation, but the amount of prejudice is still great. On the other hand, the policy of Government, if there has been any, has been one of drift; more accurately speaking, the whole administration in relation to these unfortunate classes is marked by the absence of a definite policy. The result is, there has been unequal development among the different groups. The time has surely come when the progress of the lower orders should engage the earnest attention of Government. It is a fact of great moment that any reasonable scheme of elevation will have the cordial support of the best minds of India. With the spread of high education, both Hindus and Mahomedans in advanced positions in life have come to realise that the amelioration in the general condition of the country cannot be properly effected without the elevation of the Depressed Classes of both the communities, and of the aborigines and the wandering and the criminal tribes, who might also be included among the Depressed Classes. Even if considerations of national self-respect and of humanity did not operate, self-interest would secure, not only the support, but the co-operation, of the advanced sections in any promising scheme of improvement of these classes. Government might, therefore, be reasonably expected to take the matter seriously in hand.

“Sir, in the United States of America, there is a large population which occupies a degraded position. The Government there have a negro problem, or a problem of the elevation of the degraded classes, to which they have applied themselves with characteristic zeal and devotion. The solution is not far distant. To judge of the tremendous rate at which these negroes are progressing, it should be borne in mind that this question of their social, political and moral advancement has arisen only since the abolition of the Slave Trade. Roughly, the period is about half of that spent by India under British rule. And while we can hardly be said to have even undertaken the preliminary spadework for the elevation of our degraded classes, the negroes in the United States of America are advancing at rapid strides. There are large benefactions for the education of the coloured people. The Peabody Fund, the John F. Slater Fund, and the Daniel Hand Fund may be mentioned as instances. The State also fully recognises its responsibility in this matter, and 1,000,000 dollars are spent annually in the Northern States alone for education among the negroes. It appears from the Report of the Education Commissioner that in the Slave States 44·36 per cent. of boys of school-going

# RESOLUTION *RE* AMELIORATION OF THE DEPRESSED 369 CLASSES.

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age were at school in 1907-08 against the general percentage of 69·32 for the whole of the United States, and 70·34 per cent, among the white population, and the ratio of attendance was 62·18 per cent against 66·13 per cent, among the white Americans. There are special normal and industrial schools, secondary schools, universities and colleges, schools of theology, schools of law and schools of medicine, dentistry and pharmacy. Hampton and Tuskegee have special industrial schools for training in handicrafts. In 1908-09, 23,160 pupils received industrial training in schools above the elementary grades. The white American has taken the negro by the hand and, notwithstanding race repulsion, gives him every encouragement, in the Northern States at least, to attain a dignified position in life. At Harvard once a coloured student was chosen 'class orator.' In some instances, white lawyers have backed up coloured barristers for appointment to important Federal offices. The Negro Trade Unions are admitted to the federation of the Knights of Labour.

"The brown Filipino has likewise made marvellous progress during the past few years of American rule. Schools have multiplied rapidly, but have failed to overtake the demand. There is now in the Philippines an insatiable desire for useful knowledge. And this has been excited among a population who, in the beginning, viewed American educational methods with suspicion, and opposed their introduction in supersession of the old Spanish organisation.

"In Europe, a similar problem does not exist, but in most of the progressive countries special measures are adopted for the uplift of their degraded classes,—the vagrants and tramps and criminals. In England at Thrope Arch near Leeds, an industrial school is maintained for the children of criminals and delinquents. In Switzerland, the education colony at Witzwil, Berne, for vagabonds and tramps has, within the short space of twenty years, created a revolution, the effects of which are not confined to that State. It is a new gospel of reclamation and progress which now finds favour in distant lands also. France has profited by the Swiss example. It is the same story everywhere—enlightenment and advancement—with of course varying degrees of success. But the picture is changed when we come to India. Here the problem has not been tackled seriously, and no scheme even has been formulated for the elevation of the untouchables, the aborigines, the wandering and criminal tribes, and the degraded Mahomedans. In the Punjab alone, through the *kot* system, an effort has been made for the reclamation of the wandering and criminal tribes, but that has not gone far. As regards education even, a regrettable indifference is noticeable among the authorities. It would be ungenerous to suggest that the Government are regardless of humanitarian principles; but they clearly fight shy at the magnitude of the problem, and rather than tackle the difficulties themselves with proper zeal and spirit, they have practically left the field to missionaries and philanthropic enthusiasts. Even the annual educational reports do not contain any information about the progress in the education of the special classes. Neither is there in them any reference to the subject. It is only in the last quinquennial Review of the Progress of Education in India, thanks to the efforts of the Hon'ble Mr. Sharp, that there is a summary of the position. And there we find that only 2·6 per cent. aborigines are at school, while the figures for the Depressed Classes are not available. The percentages of literates among these two classes are 0·4 and 2·8! And this with all the progress made during the quinquennium! In Madras, where something like a serious effort is being made, the expenses of the education of the Depressed Classes rose from Rs 2,63,072 to Rs 6,07,775, and the contribution from the public funds, including local board funds, accounted for less than half of this latter sum. There was a decline in the number of special secondary schools, and all the progress there was in elementary education was due to missionary effort. In Bombay, the same arrangements prevail for both aborigines and untouchables, with hardly much progress. The Bombay Government admit that the *mahars* and the *dheds* who form the bulk of the Bombay untouchables value education, 'are possessed of admirable brains and well repay the labour of teaching them,' but have no special scheme

[ *Mr. Dadabhoy.* ]

[ 16TH MARCH, 1916. ]

to suggest. In the ordinary schools the boys have to pick up crumbs of knowledge 'on the verandah away from the master's eye,' and special schools are few in number. The recent Press Note on the subject issued by the Bombay Government closes with a magnificent *non possumus* :—

'The position of these castes and tribes in the future depends partly on their own selves, and partly on those more favoured Indian communities, which by extending the hand of human comradeship or hardening their hearts and averting their faces, have it in their power to elevate or to degrade them.'

There ends the responsibility of the State, and indeed the shortest way to progress has been shown! People sunk in ignorance, despised, degraded and persecuted must look to themselves and to their persecutors for their elevation! Could there be a greater lack of imagination or appreciation of their duty in an enlightened Government? Sir A. Bourne has well pointed out in connection with the whole problem of the Depressed Classes that—

'Hindus in general take little interest in these people, and practically all that has been, or is being, done to elevate them is the work of missionary bodies.'

"In Bengal, only 'a slow increase (in special schools) is observable'; in the Punjab, 'the whole number (of special schools) seems to be very small'; in the Central Provinces, 'the number of low-caste children at school has risen from about 15,331 to 16,231', or about 6 per cent! The United Provinces Government have fallen into a similar error. In their Resolution No. 1611-XV of 25th August, 1914 on the Report of the Piggott Committee, they observe :—

'There have recently been gratifying signs of desire for education among castes who have hitherto been condemned to menial or even predatory habits, such as the Doms of Benares; and it is the clear duty of the Government and the Boards to support any such awakenings. His Honour trusts that the benevolent intentions of liberal Hindu thought will be translated more or more, as time goes on, into practical help and persuasion towards this object. Meanwhile he accepts the recommendation of a majority of the Committee that, in places where a particular section or group, *e.g.*, of the depressed classes, applies for a school, guarantees an attendance of an adequate number of boys and offers (if it can) to provide reasonable accommodation, even though it may be below the regular standard, the Board should start a special school under a suitable master. More than this, it seems impracticable to prescribe at present.'

Again, the same strain of helplessness,—the same attitude of *laissez faire*—the same inability to prove equal to the occasion! It seems, unless the stimulus comes from this Government, the Provincial Administrations will not undertake any proper scheme of reform.

"But, Sir, it is not all a question of education. The problem is not the same for all the four classes, each of them having a distinct problem of its own. In the case of the Mahomedan *ajlaf* and *arzul* it is one of education, general and industrial, while in that of the wandering and criminal tribes, the main question is one of settlement, education ranking next in importance. The common brotherhood of Islam may be depended upon to secure for the former elevation in the social scale once they become educationally advanced. But the vagrants and tramps must be gathered together in organised settlements before they can be weaned from their nomadic and thieving habits, and before education can be introduced among them. This education too must be mostly industrial in the initial stages. The aborigines stand upon a slightly different level. They are already settled in villages, but the difficulty is they are scattered, generally in the hills far away from the centres of habitation. Education is undoubtedly the chief need, but to be effective and practicable as regards cost, it can only be imparted to them after they have been removed to, and settled in, farm colonies. The organisation of these colonies will do more for them than the mere establishment of elementary schools. But after all farm colonies may be difficult where the people are already settled in villages for which they have naturally a strong attachment. Some special scheme of education must accordingly be evolved for their children which would combine the advantages of cheapness, attractiveness and accessibility. The case of Hindu untouchables presents an entirely new set of difficulties. That any man made after the image of God, endowed with

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brains and a moral sense, should pollute his fellow being with his touch, is incredible. The very idea is revolting, and is enough to shock humanity. But despite of our vaunted civilisation, despite of our progress and enlightenment, large bodies, nay millions, of men have been relegated to that infamous position for centuries through Brahmanical persecution. The District Manual of Mangalore points out :—

‘The *Ande Koragas* were considered so unclean that they were not permitted to spit on the public way, but had a pot suspended from the neck which they used as a spittoon.’

Good gracious! I hope this is a description of the past. Moreover, this may be an extreme case, but the exclusion of the Depressed Classes from even court-houses and other public places in certain parts of India is a notorious fact. The pariah, under the penalty of severe punishment, must call out from a long distance on the public way to warn high caste Hindus of his presence. The touch of the filthiest vermin does not offend so much as that of the ‘untouchable’ man. Could human perversity go further? Could hatred brutalise humanity more? And yet that is a true picture of even the present state of things. It is, Sir, a shame to Hindu society, it is a shame to Hindu culture, it is a shame to India. Government cannot really sit idle in the face of such enormities. But it may be argued the problem is more social than anything with which Government are directly concerned. Government must be powerless to remove the social ban. It is for the society itself to apply the corrective. At the same time, it has been pointed out by more than one earnest worker in the cause that, without the removal of the ban, no real improvement in the condition of the Depressed Classes is possible. Is there then no hope for these millions of inoffensive, law-abiding, industrious citizens? I, for my part, do not despair.

“Sir, putting aside for the moment this problem of social reform, I submit Government could do much to improve the lot of the Hindu untouchables by means of well-devised schemes of educational, industrial and political advancement. It has been remarked by one acute observer that their conversion to Christianity effaces all memories of their former degradation. Change of religion is, therefore, their only hope. This view, however, does not appeal to me. The change in treatment which follows the assumption by them of European dress is produced, not by the conversion preceding it, but by the material wealth and prosperity lying at the back of it. Poor Christians do not enjoy the same consideration. It is wealth which counts in these days more than anything else. The facts taking place before our very eyes confirm me in this belief. Some of the *mahars* in the Central Provinces are prosperous, and as they gain in wealth the social ban is relaxed. In other provinces also the acquisition of wealth by members of the Depressed Classes is followed by a perceptible improvement in their relations with the higher sections of the Hindu society. I am credibly informed in one of the provinces a *kalal* has been made a Raja by Government, and it came out in evidence sometime ago that a Brahmin, a Mukerji, had taken rice at his place. The fact thus stands out that wealth is a powerful leveller, and caste disabilities disappear under its influence. And in this we have a key to the solution of the problem.

“Sir, to my mind, our object should accordingly be to help the material prosperity of the Depressed Classes, and to secure its official recognition by the appointment of the deserving members to the local bodies and other official committees, and, in exceptional cases, by the bestowal of honours. Some sort of education is the first necessity, but high literary culture is not a condition precedent. In my humble opinion, our first objective ought to be to secure the widest diffusion of elementary and secondary education among the classes concerned simultaneously with industrial education. Next in importance is the encouragement of industries among the men. By attacking this educational and industrial problem with vigour and determination, Government would help materially in the solution of the whole problem of the elevation of the Depressed Classes. The impetus of appointment to public offices will again encourage the dissemination of education

[*Mr. Dadabhoy ; Sir Gangadhar Chitnavis.*] [16TH MARCH, 1916.]

among them. Thus, the problem to which I claim the attention of the Council and Government is three-fold—educational, industrial and political. In some instances, the solution of this problem may have to be supplemented by colonisation and settlement; but those are questions of detail. I request Government to adopt a definite policy of reform, and to formulate a scheme in consultation with the Local Governments and official and non-official representatives.

“Sir, in this connection the question of cost claims our first consideration, as Government may not, in present circumstances, be disposed to view with favour any scheme involving large expenditure. But my own idea is, the magnitude of the task and the inevitable heavy cost need not paralyse us. The investigation I recommend in the Resolution can alone enable us to form a correct estimate of the amount of expenditure necessary. But I would not be wrong in assuming that it will be large. Even then I hold that the task of elevation of the Depressed Classes should be taken in hand without delay. And I hold further that this can be done without imposing an extra severe strain upon the Exchequer. The State will undoubtedly have to spend more and more of the educational grants on special institutions, but the major portion of the work can be done in other ways. Philanthropic bodies and Christian missionaries are already rendering splendid service in the cause. The success of the missionaries among the aboriginals is well known. The great Salvation Army has shown us a new way of humanising tramps and criminals. I do not think I can speak too highly of their reforming work. It is written large on the pages of the history of the Punjab, the United Provinces and Madras. The chief drawback in the case of all these missionaries is, that their object may be viewed with suspicion. The Arya Samaj may be expected to do a good deal in this line. It has special advantages and can do much. The various Depressed Classes Mission societies, either organised or encouraged by devoted philanthropists like Sir Narayan Ganesh Chandavarkar and the Hon’ble Sir Sankaran Nair, are active and watchful. All this non-official agency can be utilised by the Government, with proper safeguards, where necessary, to accelerate the pace of advancement among the Depressed Classes, moral, material and educational. With a liberal system of grants-in-aid the object can be attained at a minimum of cost. Government can further reduce the State cost by attracting private benefactions for the behoof of the Depressed Classes. Private charity, experience shows, usually takes its direction from the lead of Government, and benefactions can be made to flow in this channel with a little official encouragement and a discriminating official recognition. This source has not been exploited so far. But more than all these, I would urge the adoption of the Swiss system of education colonies in which industrial education is imparted to the pupils along with general education, and the industries help the colonies to become self-supporting. Captain J. W. Petavel is now in India, popularising the method and organising experimental colonies. From what has been said of education colonies, they appear to have a great future, and they are calculated to prove especially valuable as an elevating agency in the cause I advocate before the Council. Much could thus be done by Government to remove from the fair name of India the stigma of the Depressed Classes without incurring enormous expenditure. But we must have a definite policy for a beginning, and a workable scheme of reform. And this plan of action I ask Hon’ble Members to recommend to Government by adopting this Resolution.”

**The Hon’ble Sir Gangadhar Chitnavis:—**“Sir, I have listened with great interest to the Hon’ble Mover’s comprehensive and very attractive speech, and though I do not wholly agree with the somewhat exaggerated picture he gives of the treatment of the Depressed Classes by the higher classes, I share his earnest desire that the elevation of the Depressed Classes should be systematised, and, wherever possible, pushed forward. The old condition of things has now everywhere changed. I also admit that in

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parts of India, through the benevolent efforts of Government and the various missionary bodies, including the Depressed Classes Improvement Missions with many high class Hindus as members, the material condition of the depressed classes and the lower castes has everywhere, to some extent, improved along with that of the general population. The whole tendency of modern civilisation is to remove inequalities in social status based upon anything but sterling merit, and to produce complete toleration among the conflicting units. It is producing its natural results in India. With the principle 'of live and let live' at work, the weaker sections of the community have a chance, of which they are not slow to avail themselves. But I believe the pace of progress could be accelerated. In the Central Provinces, the *Mahars* and the *Mangs* are improving. They are freely receiving education in Government and missionary schools, and the social disabilities of the more thriving amongst them are gradually becoming less oppressive. Some of the *Mahars* have shown great aptitude in the various trades, and some of them have been admitted into Government service as patwaris and clerks. Acquisition of wealth is certainly a great factor in the solution of the problem. And so far as that is dependent upon general, industrial and technical education, it is a matter in which Government help is both desirable and necessary. The Government and the various missionary societies have done much in this direction ; but before any comprehensive scheme of elevation can be prepared, a thorough investigation of the whole subject must be undertaken, and that is what my friend the Hon'ble Mr. Dadabhoy seeks in his motion. I have, therefore, great pleasure in supporting the Resolution."

**The Hon'ble Mr. Rama Rayaningar:—**"Sir, I am glad my friend, the Hon'ble Mr. Dadabhoy, has raised this question of the elevation of the Depressed Classes. I wanted to move a Resolution about it myself. In 1913, I invited Government attention to it by interpellation and also by general observations in the course of the debate on the Budget. But the Government reply was to a degree disappointing. They refused to show the members of the Depressed Classes any special consideration in the matter, even of appointment to the low paid public offices. If that attitude continues, there is little hope of progress, but I hope in the interest of the country better counsels now prevail.

"Sir, we have in Madras a large depressed class. Some of them are not allowed even to enter public places. Their movements on the public way are not free and unrestricted. Regrettable as it is, it is true that in some cases the social rigours are so great that, to escape from them, the depressed people are driven to embrace either Christianity or Islamism. Their only fault is their birth. Are we Hindus so dead even to our own interests, that we are not prepared to entertain kindlier feelings towards the depressed classes, and would much rather lose than keep them among us by humane treatment? Can it be believed that the elevation of the depressed classes is repugnant to the sublime principles of the Hindu religion, or that it was the intention of the ancient lawgivers that they should be permanently kept out of the common rights of humanity? The Hindu religious tenets and the intentions of the lawgivers are not in favour of such extravagant theory. The Avatar hero of Ramayana did not scruple to mix with Guha, a Nishada, a Panchama by caste. The sage Kanva, according to *Bhavishyottara purana*, admitted into the sacred fold of Hindu Dwijas a large number of Mlechyas. The *Skanda purana* relates how a whole tribe of Konkan fishermen were elevated into Brahmins. Sri Ramanuja Charya, the great teacher of the *Vistawita* philosophy, took the Panchamas by hand and promoted them in the social scale. But unfortunately through the moral degeneration of centuries Hindu Society has lost its former elasticity ; the rules have become crystalized ; the intentions of our lawgivers have become obscured in a mass of unmeaning and uncompromising practices. We must have a broader outlook and a more practical sense of our present needs and our social duties. We must revert to the old order of things when Hinduism was

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progressive and the Hindus constantly got recruits from among non-Hindus and advanced to conquer the world. I hope there is a change coming in the country. Hindu thought is undergoing a slow evolution, and the day may not be distant when our leaders will themselves advance to receive in brotherly embrace the depressed of our society. The Brahmo Samaj, the Arya Samaj and the Theosophical Society perhaps give us the lead.

“Sir, this however is not the direction in which Government can be expected to help us. The change will come of itself. Under the influence of modern civilization we are progressing fast, and the reconstitution of our society on modern and liberal lines is a question of time. But it is not desirable to leave the solution of this sore problem of the depressed classes to the humanizing influence of time. The Hon’ble Mover has indicated the line in which Government can and ought to move to help in the solution. Government has certain obvious duties in this matter, and it is sincerely to be hoped it will not be slow to recognise and perform them. The situation requires tactful and sympathetic handling. We representatives of the people have the right to expect Government to organise special measures for the elevation of the depressed classes. Sir, it will not do to consider their claims to educational facilities and to public appointment along with those of the other sections of the community. Regard for the special needs of minorities is one of the accepted principles of this Government. The special treatment of the depressed classes will not therefore involve any serious violation of policy. I recommend to Government the adoption of a definite policy and the formulation of proper schemes with due regard to local conditions. Sir, the object of the Resolution has my whole-hearted support.”

**The Hon’ble Mr. Surendra Nath Banerjee :—**“I think, Sir, every member of this Council, be he an official or a non-official, will sympathise with the object of this Resolution. Whatever differences of opinion there may exist with regard to the terms of the Resolution or the form of the recommendation that has been made, I think we all welcome the discussion that this Resolution has given rise to in this Council. We of the educated community cannot neglect this question; we cannot discard the depressed classes; they are Indians. They are of us and we are of them, the bone of our bone and the flesh of our flesh, and we feel this, that in the onward march which has begun, in the onward national movement, we must take them with us, and if we do not do that, they will drag us down. The progress of a community does not mean the progress of this section or of that; it means the harmonious, the conjoint, the simultaneous advancement of the whole, and therefore in this onward movement the depressed classes must take their place and their share. Sir, this movement is universal throughout India. I regret very much that my Hon’ble friend the mover of this Resolution went somewhat out of his way to level (I do not think he did it intentionally) an attack against the Hindu community. He must bear in mind that we are the inheritors of past traditions, of a civilization as ancient as the world. That civilization undoubtedly had its defects, but that civilization in the morning of the world was the guarantee for law and order and social stability. In the past it afforded consolation to millions; in the future it is destined to afford consolation to millions. We are trying to evolve a national system in conformity to our present environments, but we cannot push aside all those things which have come down to us from the past. We reverence the venerable fabric which has been built up by our ancestors. We notice their defects, and we are anxious to get rid of them gradually and steadily, not by any revolutionary movement, but by the slow, steady process of evolution. My friend must have a little sympathy with us; he must extend to us the hand of generosity in our efforts to deal with these problems. My Hon’ble friend suggests that the Government should take measures—measures of an educational character, measures which will help forward the moral and material advancement of the depressed classes—and he recommends further that the Provincial Governments should frame

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schemes, in consultation with officials and non-officials. Sir, we welcome the action of Government in a matter of this kind, but after all, if you analyse the situation, it is a social problem, and the British Government, very properly, as I think, in conformity with its ancient traditions, holds aloof from all interference with social questions.

“ Government can do a great deal by way of education, a great deal by helping forward the industrial movement among the Depressed Classes. But the vital problem, the problem of problems, is one of social uplifting, and there the Government can only afford to be a benevolent spectator. It may sympathise with our efforts, but it cannot actively participate in them. I say the crux of the problem is social. I think, in regard to matters of administration, the best way is to look at a concrete case and try to solve its complexities by reference to actual facts. I am acquainted with this problem in my province. I may say that I have been taking an interest in the elevation of the Depressed Classes. We have a hundred thousand *Namasudras*, as they are called in Bengal in the Faridpur district, and we have a few thousand in the Mymensingh district. Now what is their grievance? It is this, that the upper classes will not partake of food or water which is touched by them; that the upper classes will not admit them into the rooms where they are dining; that the priests of the upper classes will not minister to their religious rites, and that in some cases the upper classes will not allow the wells where they draw water from to be touched by them. These are the grievances which practically weigh heavily upon the Depressed Classes, and we are doing our best by the education of public opinion to bring about a reasonable and amicable settlement of these points.

“ The settlement cannot come in a day; public opinion must be educated, public feeling has to be transformed, a better understanding has to be established. It is the work of years, but the work has begun, and I am perfectly confident that, with the growing desire of the educated community to uplift these *Namasudras*, within a measurable distance of time, most of these grievances will have disappeared. My Hon'ble friend has made an attack upon the Hindus; my friend has said that we are doing nothing. I think he said that. Am I right in that interpretation? ”

**The Hon'ble Mr. Dadabhoy :—**“ No, my Hon'ble friend is wrong.”

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ I am very pleased to hear that. I was under the impression that he had made that attack, and if he had, I should certainly have replied to it with considerable emphasis. We are doing our very best in the task of uplifting the Depressed Classes. As a matter of fact we have our organizations. There is the Brahmo-Samaj which has got a mission of its own; there is the Social Service League which has got a mission of its own; there is the Arya Samaj which is working in the same direction; there are leaders in the mofussil who are helping forward this movement. And in an educational way we are doing our best. A concrete fact will interest the Council. I am associated with the Ripon College which contains a very large number of students. We make it a point, when a poor member of the Depressed Classes applies for admission, either to admit him free or to charge him half fees, and I believe the same thing is being done by the authorities in the other colleges. There is the difficulty about our hostels that, while our students will perhaps live with them in the same hostel, they will not dine with them, and I find from the proceedings which have been published in to-day's papers that my Hon'ble friend Babu Radha Charan Pal moved a Resolution in the Bengal Legislative Council asking the Government for a small grant of Rs. 1,200 for a hostel for these classes. Therefore, the fact is that educated public opinion in Bengal and in India is most anxious that there should be a definite movement towards uplifting the Depressed Classes. Government can co-operate by establishing schools, by helping the organisations which are already at work by starting Co-operative

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Credit Societies, and by affording facilities for the admission of members of the Depressed Classes into the public service. In this way the community will be educated; their self-consciousness and their self-respect will be strengthened. They will learn to assert their rights, and, Sir, when a community has learnt to assert itself its future is assured, for, sooner or later, it will get its rights. And the *Namasudras* have begun that process.

“I think, therefore, that the future of this question appears to me to be exceedingly hopeful. I hope and trust that the Resolution of my Hon’ble friend will be accepted—at least the principle of it: I think it can do nothing but good. The association of Government with private effort in this direction will stimulate private effort; and will bring about, within a measurable distance of time, a satisfactory solution of this great problem.”

**The Hon’ble Mr. Hill:**—“Sir, the Hon’ble Mr. Dadabhoy, in moving this Resolution, has placed two sets of people in the dock, first of all the Hindus and secondly, the Local Governments. My Hon’ble friend Mr. Surendra Nath Banerjee has effectively defended that part of the attack which was levelled at the Hindus, and has pointed out that the fundamental difficulty in connection with this problem is, at the root, religious and social, and the two, in the case of Hinduism, are indissolubly connected. That being so, it was, I cordially agree with my Hon’ble friend, somewhat ungenerous to make an attack upon the leaders of Hindu opinion for their failure to grapple with a problem of extraordinary difficulty. However, I am not concerned so much to defend the Hindus who, under the able leadership of the Hon’ble Mr. Banerjee, are quite able to take care of themselves. What I am anxious about is, to express the bewilderment with which I listened to the remarks of the Hon’ble Mover of this Resolution, which assumed throughout that Local Governments were sitting with folded hands and required the leadership of the Government of India. With all respect, Sir, I have come sufficiently recently from a province to state that that position is diametrically opposed to the facts. I can only speak with some authority in respect of one province, but in respect of that province, I desire to repudiate, with the greatest possible emphasis, the suggestion that the Local Governments are indifferent to this problem. Nothing could be further from the facts. On another point, I should like also, in respect of this Resolution, to indicate that the suggestion that a Committee emanating from the Government of India should be appointed, coupled with non-officials, to go into this question and to formulate a sort of uniform policy for India, seems to be one open to serious objection. I have listened with considerable sympathy to the general object which the Hon’ble Mover has in view, and I do not wish for a moment to suggest that the objects aimed at by this Resolution may not be desirable in themselves; but the suggestion that there ought to be a uniform policy laid down for the whole of India strikes one coming from the Bombay Presidency, where conditions from one end to the other differ so materially, as likely to hamper rather than to further the object which we all have in view. Between the north in Gujerat, and the south in Bijapur, where Mr. Starte is making, as I believe my Hon’ble friend Sir Reginald Craddock will explain, most admirable arrangements for the reclamation of the criminal classes of the Southern Division, there is such a wide difference of conditions and circumstances, that the suggestion that a uniform policy could be applied to all these classes seems to me absolutely untenable. In addition to those bodies to which my Hon’ble friend Mr. Surendra Nath Banerjee referred who are doing useful work, gradual spade work, in the preparation of the ground for the elevation of the Depressed Classes, I should like to add the name of the Servants of India Society. That Society in Bombay—and it is for the purpose of mentioning this that I have ventured to intervene in this debate—that Society in Bombay city is working whole-heartedly, in conjunction with officials, who are helping, as far as possible, in the direction of improving the economic condition of the Depressed Classes of Bombay city.

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So far they have limited themselves to that. No doubt they will extend their operations as time goes on ; but what I wish to emphasize, Sir, is that the Servants of India Society is precisely the kind of organization which, if it enlists the assistance, as the Servants of India Society has done, of Government and Government officials so far as is legitimate, can effect much more within given limits than any official or semi-official committee appointed by Government. The members of the Servants of India Society know precisely the conditions in which they are working, and Government could not possibly have a better agency to advise and help them and to indicate to them the directions in which Government can most successfully intervene.

“For these reasons, Sir, while sympathising—as all the speakers have done—with the objective which the Hon’ble Mr. Dadabhoy had in moving this Resolution, I have ventured to suggest that the charges brought against Local Governments are void of foundation, and that the suggestion that a committee, composed of officials and non-officials, should be appointed in order to create a uniform policy to give effect to the objects of the Resolution, is one which cannot really commend itself to those who have the objects of the Resolution at heart.”

**The Hon’ble Pandit Madan Mohan Malaviya :—**“Sir, it seems rather ungracious to say so, but a sense of the dignity of the proceedings of this Council compels me to utter a protest against the manner in which sometimes subjects are brought before it for consideration. I am certain that in private conversation, in private dealings between man and man, no member of the Council would be guilty of the discourtesy which some of us, in the course of our discussions, I am sorry to say, have at times shown towards whole communities.

“In moving the Resolution the object of which I may at once say, has my whole-hearted support, my friend, the Hon’ble Mr. Dadabhoy, went out of his way to make remarks against the Hindu community which, I think, he ought to have avoided. Now, Sir, I am not here to defend everything Hindu that exists. I am not here to apologise for the many prejudices or superstitions, which I am sadly conscious are to be found among one portion or another of our community. But it is not the Hindu community alone which finds it difficult to get rid of prejudices. You, Sir, know—every sensible educated man knows—that whatever the community may be, superstitions and prejudices die hard. Without meaning the smallest disrespect, I would instance the case of the marriage with a Deceased Wife’s Sister Bill. I suppose everybody recognises that that was a measure of an absolutely harmless nature which should have been accepted long, long ago by English society. At any rate, that is the view of a lot of people. And yet we know very well how many years it took, and what an amount of effort it needed to persuade English people to accept such a simple measure. Well, I mention that only as an instance to show that prejudices die hard. We Hindus have got some much worse prejudices to fight against, I acknowledge, I own it. But I do not think it is within the province of a Member of this Council either to lecture to the Hindus present here or to those outside as to socio-religious disabilities among themselves which they might fight against and remove. I think the province of Members of this Council is limited to dealing with matters of legislation or other administrative matters which may properly be taken up by the Government. As has been already pointed out, the Government have, in pursuance of a wise and liberal policy, laid it down that they shall not interfere in matters of a religious or socio-religious character, and accusations of the character in question ought, therefore, to be avoided here. When they are indulged in, it places members other than those who bring such charges in a very awkward position. I do not wish to descend into a disputation as to the merits of the imputations or the justification for the general observations that have been made. If I do, I shall be guilty of what I protest against. And yet if I do not, I am left in the position that I have heard without protest remarks showing that the Hindu community from one end of the country to the other was guilty of all that my friend, the Hon’ble Mover of the Resolution, has suggested. He has not

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paused to qualify his remarks; he has not paused to inquire whether the conditions he had heard of as obtaining say, in Madras, obtained at all in the United Provinces, or whether they were different; and whether the conditions which obtain in the Punjab are the same as those which obtain in Bengal and Bombay. It is one sweeping generalisation that he has made against a whole community. I am conscious that we Hindus have many prejudices to fight against and conquer; but I submit that this is not the place to tell us of them.

“Secondly, in dealing with the Resolution, my Hon’ble friend might well have done a little more justice to the Government. I have been a student of the reports on Public Instruction for many years. My Hon’ble friends, Sir Edward Maclagan and Mr. Sharp, will bear me out when I say that there are numerous reports on public instruction which show that the Government of India—and under the direction of the Government of India, the Local Governments—have for decades past been endeavouring to promote in a special degree the education of the backward classes. I find that, even in the report to which my Hon’ble friend referred, a list is given of the many ways in which the Government have been endeavouring to promote the education of the backward classes. Not only that; but we know that in many places men of the humblest classes have risen high, and have been greeted as any educated man would be greeted. I had the honour of having a friend at Allahabad who belonged to the *Chamar* class. He was an M.A. of the same University as I belonged to. I greeted him just as cordially as any other man; and I would in similar circumstances greet any *Chamar* or any *Chandal* as cordially. It is not that the old conditions are not changing. They are changing; they must change. But we have to recognise that social conditions are the legacy of a number of circumstances. They are not created to order. And education is the great solvent which removes all social differences and prejudices. Let there be more education. I join with my Hon’ble friend in asking that more efforts should be made in that direction. But let not the impression go forth, as the Hon’ble Mr. Hill has very well pointed out, that we are starting a new campaign, or that effort in a new direction is being suggested which has hitherto been absent from the mind of the Government—both the Government of India and the Local Governments. The history of education, as can be seen from the Quinquennial Reports previous to that of the Hon’ble Mr. Sharp, shows that the Government has been very much alive to this aspect of the question.

“But, Sir, when I come to deal with the subject-matter of the Resolution, I find myself in complete agreement with my Hon’ble friend. I understand he desires two things. One is that the status of the members of these Depressed Classes should be elevated. So far as the elevation or depression of that status rests upon social or socio-religious causes, the Government would rightly abstain from making any attempt in that direction. But I submit that it depends largely, almost wholly—nay, I say it depends wholly—upon education. That is the one solvent which will solve this problem, and most certainly do I wish and pray that the Government will do as much more as it can towards the spread of education among these classes. There are, however, other facts to be recognised. In going to deal with the Depressed Classes, the Government cannot regard other—what I may call non—Depressed Classes as out of the field of its consideration. The British Government has been offering education to children of every class in India. If it has not been doing so, it should. But if certain classes will not come forward to avail themselves of it, that is due to causes for which the Government is not responsible. If there are certain classes who readily avail themselves of that education, that again is the result of causes which have worked for a long time. All that we can reasonably ask—and I do join my friend in asking for it—is that there should be absolutely no impediment placed in the way of the education of any boy belonging to any class of the community. Be he a *Chamar*, be he a *Chandal*, be he or she of whatever class or condition, if there is a child living and breathing in India, the schools of the Government and the schools of the community ought to be

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open to that child as much as to any other child. And if there are any difficulties thrown in their way, if any difficulties are shown to exist anywhere in the case of these children of the Depressed Classes, the matter should certainly be brought to the notice of the Government for remedy at the earliest possible opportunity. I will go further. I will say let there be special facilities, special encouragement given, in order to induce them to come forward to avail themselves of education. For I wish that there should be provision for educating every child. I hope the time will soon come, distant though it may seem at present, when compulsory education will be provided for every child in India. In the meantime let us provide such facilities as are possible for every class of the community who will come forward to avail themselves of it. And when you have once given education, an amelioration of the other conditions that my friend speaks of in the Resolution will come in as a matter of course. I have known many instances which support my view, but I do not wish to take up the time of Council by narrating them. I have heard from the lips of so revered a man as Sir Gurudas Banerjee, a Brahmin of Brahmins, how he treats every educated man who goes to him, whatever his caste may be. I know of no friend who would not be ashamed of himself if he refused to treat an educated brother in the way in which he should, merely because he happened to be of a lower or Depressed Class. Therefore, I say let there be more and more of education; let the other social advantages which result from education spring up, and the complaint about the treatment given to the Depressed Classes will disappear.

“I have already said in the beginning that we all have got to contend against some difficulties, and I know that even with education there may be some small-minded people, some narrow-minded people, who may fail to act up to the standard that is the right standard for a man to adopt towards his brother-man. But such instances you will find even among communities other than Hindus. There is not a community in which there are not some people who would allow their treatment of their fellow-men to be affected by differences in social position. Even in societies where there is absolutely no caste, in the sense in which we Hindus have it, in European societies and even in Muhammadan societies differences in social position sometimes lead not merely to the refusal of the courtesies which may be due to a man, but sometimes even to his persecution. There will always be some such men perhaps in every community: let us not think too much of them. So far as the general bulk of the community is concerned in India as elsewhere, once you educate the humblest men, once they begin to lead a life of cleanliness, once they wean themselves effectively, extricate themselves from the bondage of the customs and habits and surroundings which have for a long time been associated, unfortunately associated, with their position, there will be absolutely no bar to their being admitted into society, no bar to their being treated as educated brethren, and it is in that view, Sir, that I support the prayer that has been made that the Government should do all that it can to promote education among these humble people. I may add, however, that I do not at all see the necessity for a committee such as has been proposed. I entirely agree with the Hon'ble Mr. Hill in the view that there is no need for such a committee. I think, Sir, that Government, both Imperial and Provincial, are alive to their duty in this direction, and I think all that is needed is the provision of more funds. As Lord Curzon said long ago, the question of education in India is a question of funds; if funds are forthcoming, if grants for education will be made in abundance, then I have no doubt that this question of the amelioration of the conditions of the Depressed Classes will by itself steadily move on towards solution. For that purpose and to that extent I support the prayer which is contained in the Resolution.”

**The Hon'ble Mr. Madhu Sudan Das:**—“Sir, the turn which the discussion on this Resolution has taken reminds me of the beginning and the heat of a football match. When two teams about to be engaged in a football match meet one another, each wishes that the other should come out

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successful ; but when the kicking of the ball commences, in the heat of the sport, all that benevolence disappears, and the whole thing assumes an altogether different aspect. The object which moved the Hon'ble Mr Dadabhoy to put forward his Resolution has the full sympathy and support of all the Hindu Members. But in his attempt to kick the ball of responsibility to the other side, he raised a heat in the sport which has brought out undesirable discussion. But the discussion and the remarks which have been made have prominently brought into view these facts, that the leaders of the Hindu community are as anxious as anybody else to advance the interests of these Depressed, I should rather say, Oppressed classes. But then to quote the language of the Hon'ble speaker who preceded me (Mr Malaviya), customs and traditions die hard. And the Hon'ble Mr. Bauerjee in his speech pointed out that when it is a contest between a desire to improve and between old customs and traditions—customs based in most cases on religion—then we must look forward to the work of evolution ; a revolution should be avoided. Now, then, what is the position of the Depressed Classes as we find at this moment of the discussion of this question in this Council ? People are advancing to approach the Depressed Classes and give them the right hand of uplift. But that must be the work of evolution, and evolution is slow. It may be steady, but it is slow, very slow. Who can say how many millions of ages it took to evolve man out of his ancestor, the monkey, according to Darwin ? Evolution is very slow, and traditions and customs die hard, but there stands the man of the Depressed Class. What is his position ? He is away from Hindu society in the midst of a desert. Why is he there ? Because at some time or other he was cast away as the sweepings of society ; and he does not receive the same treatment which even sweepings in thriving cities do, because the sweepings are looked after so that they may not ferment and breed germs of disease. Here these people live on the outskirts of a village ; they are deprived of every opportunity of seeing the example of a good moral healthy life ; they are deprived of what is a very powerful deterrent in the human nature, and that is the approval of respectable society. I believe, Sir, that the censure of society is a more powerful deterrent than the sentence of a judge.

"Sir, the man who confesses his guilt to the policeman of having committed theft will conceal it from his neighbour ; the soldier who will walk into the mouth of the roaring cannon will shrink before the little finger of scorn of society. Society furnishes a very powerful motive for a man to be worthy of its approbation and to earn its good opinion. What is the position of the Depressed Classes ? What wonder if they turn to be criminal ? It is all very good, Sir, to speak of the Criminal Tribes, but I am afraid very few of us realise the meaning of these two little words. A few men in a village commit an offence to which perhaps they are driven by hunger, and the residents of the village are all put down as belonging to the tribe of criminals. Before a child is born with the impress of God's innocence on his face, while he is actually drawing his mother's blood in his mother's womb, the brand of the criminal is put upon him. That is the meaning as I understand of criminal tribes, and that is what we have at the present day under the British Government, though the brightest jewel on the Crown of England was earned by abolishing slavery in the world. It is not my duty here to say what the Government has done or what the Government should have done. The question is, if those responsible for the administration of the country feel that they have done all that they could do or should have done to stretch the right hand of help to uplift these men from their pit of degradation ; if they are satisfied I have nothing to say. Reference has been made in the course of the speeches delivered to the missionaries' benevolent efforts in this direction. I may say that on account of the complexity of the Hindu social system the missionaries perhaps in some cases have added another Depressed Class. They acted from the best of motives, from the most benevolent of motives, in fact I should say from the highest of motives, but on account of their ignorance of the social conditions and their inability to understand the complex rules of society, they have added another Depressed Class, and I belong to the

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Depressed Class of the Indian Christian community. I was born a high caste Hindu, but owing to my conversion I belong to that additional Depressed Class. The doors of this Chamber are hermetically sealed against that Depressed Class. If any Resolution is sent to this Council on the subject it is considered controversial, perhaps the very existence of that class is considered problematic; and that in a country where the Government maintains an ecclesiastical establishment and where the King who rules over us proudly bears the title of the Defender of the Faith. But let us turn to the situation where the Government can be of some help; many of these Depressed Classes are to be found in the jails; a man goes to jail and is taught an industry, he learns an industry and we often find that on the very day he regains his freedom he commits an offence again. To my mind that suggests a most interesting psychological problem. Why does he do this? Outside the jail he has those whom he loves and who are near and dear to him. As I said, after leaving jail he loses no time in losing his freedom again; why is that? I think, Sir, because the rules under which he works do not present to his mind any reward; he does not associate labour with the reward of labour; he considers the grub he gets is due to his imprisoned conditions. Can Government do nothing to improve this state of things? Cannot the jail rules be relaxed in such a way that the man would associate his right to earn an honest livelihood with his labour, and thus have an inducement to engage in the industry which he has learned in the jail? I suggest this because these jail birds are the people who are entirely under the control of Government. I do not like to go further because I know Government rules are cast-iron, but it is certainly in the power of Government to recast them in order to suit the present circumstances. I think we are agreed that this class really deserves our earnest attention, and I hope the Government, as well as those outside the walls of this Chamber, men of position, men of influence, will all combine (instead of kicking the football of responsibility among ourselves), that they will— ”

**The Hon'ble the Vice-President :—**“ I must ask the Hon'ble Member to bring his remarks to a close ; he has one more minute.”

**The Hon'ble Mr. Madhu Sudan Das :—**“ I will die before that minute expires ! I hope all will join together and stretch forth their hands of sympathy and help with a sincere desire to uplift those classes in such a way that the class will feel that the hands are held out to uplift them and not to strike them. ”

**The Hon'ble Mr. Hudson :—**“ Sir, I beg to be permitted to say a few words. The last district in the Bombay Presidency in which I served was the Panch Mahals. The Hon'ble Mr. Dadabhoy's definition of 'Depressed Classes' would include the *Bhils*. I don't think they would be pleased to hear that they were so described because the whole country contains *Bhils*; there are there not only more than enough schools for them but there is also a school for educating *Bhil* school-masters. There are no criminal tribes resident in the district, but there are, of course, lower classes, really Depressed Classes, *Dheds* and *Bhangis*. For the *Bhangis*, which are the lower class, there are some special schools, and the *Dheds* themselves get whatever attention they require either in separate schools or in verandahs, and all inspecting officers make a point of seeing that these boys, though they may be in the verandah, do get individual attention. So much for the Panch Mahals.

“ The next district is the Dharwar district. There the same remarks apply to the *Mangs* and *Mahars*, the Depressed Classes. The criminal tribes have been taken in hand by Mr. Starte, to whose work the Hon'ble Mr. Hill has referred, and I am sure that all that can be done for this class is being done by Government. We cannot interfere with social and religious matters, and

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that ties our hands very largely. In this district there is also a high caste Hindu Mission, a Depressed Classes Mission, working.

“ With these few words, Sir, I bring my remarks to a close.”

**The Hon'ble Rai Sitanath Ray Bahadur :—**“ Sir, I should like to tell the Hon'ble Mover that there is no such rigid distinction—an insurmountable barrier—between the Depressed Classes and the higher classes of Hindus in Bengal as is supposed to exist in the Madras Presidency. The question is beset with religious and social difficulties, and as such, it is difficult to see how this distinction and this barrier, which are entirely due to religion can be removed by the appointment of a Committee. I think that the elevation of the Depressed Classes must be left to the ennobling influence of education, and education alone, and I must say that education has already done much to uplift the Depressed Classes in Bengal and to remove the marks of inequality which distinguish the depressed from the higher classes. Individual efforts are not wanting in Bengal, and I may say that some of the leaders of the educated community have been crying themselves hoarse for uplifting the Depressed Classes. But the society, I mean, the orthodox Hindu society, is not yet so advanced as to yield to the influence of the leaders of the educated community. As I said before, the distinction in Bengal is not so marked and not so rigid as in Southern India. I may state here that the Depressed Classes in Bengal, be they *Namasudras*, or *Chamars*, are freely admitted into our colleges and schools, and there is absolutely no barrier against their admission. I should further state that the Government has been doing much by providing liberal education to *Namasudras* in the Faridpur district, especially, in the sub-division of Gopalgunj, and the result is that several *Namasudras* have taken M.A. and B.A. degrees and Government has been very generous towards them by appointing some of them as Deputy and Sub-Deputy Magistrates, and Kanungoes, etc., and given them some other good appointments. I may add here that whenever an educated or degree-holder *Namasudra* appears before us we do not make the slightest distinction in our treatment between such a man and another educated Hindu belonging to a higher class. All these go to show that the uplifting and elevation of the Depressed Classes can only be achieved by education and education alone, and though I have every sympathy with the object of this Resolution, I can hardly believe that the formation of a Committee alone will do much to solve the difficulty.”

**The Hon'ble Mr. Davidson :—**“ Sir, this debate has already been long drawn out—though perhaps not quite ‘in linked sweetness’—and I would not add to its length at all, were it not that I think I should be failing in my duty to my province if I did not set forth what has been done for the Depressed Classes by one of the ‘criminals in the dock,’ namely, the Government of Madras.

“ I have had a subordinate connection with that Government for intermittent periods throughout the last 25 years; this began in 1891, when it was my task to compile the Presidency Administration Report. My point is that I have had some opportunity of gauging the policy of the Local Government, and with the knowledge so gathered I can confidently aver that nothing can be further from the truth than the statement that in regard to the treatment of Depressed Classes there has been a policy of drift. On the contrary, in three departments the matter has been constantly before the Government, in the Department of Education, in the Judicial Department, and more recently in the Forest Department. With regard to the Department of Education, I need say little. That has been adequately dealt with by the Hon'ble Pandit Madan Mohan Malaviya. It is the case, of course, notwithstanding what the Hon'ble Mover says, that successive Administration Reports of the Education Department have again and again devoted special attention to the question of the education of the Depressed Classes, I should like, however, before I leave the topic of education, to refer briefly to one or two statements of Mr. Dadabhoys

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in regard to which I do not think his information is quite up to date. He spoke of the outlay on Panchama education as amounting to 6·7 lakhs. I do not know where he took that figure from: the only reference I have to hand is the latest Presidency Administration Report. I find that under the heading 'Education of Panchamas'—a heading which has been included in our report for many years—it is stated that the total expenditure rose from 7·55 lakhs to 7·75 lakhs. Now I do not wish to draw any comparison between, say, 7½ lakhs and 6½ lakhs. My point is that even the larger figure is expenditure on schools which are reserved exclusively for the use of the Panchamas and in no sense represents the total outlay on the education of Panchamas; also it refers for the most part, if not entirely, to elementary education.

"Mr. Dadabhoy next referred to an alleged decline in the number of secondary schools. I suppose the number of schools is comparatively unimportant; what is of greater interest is the number of pupils. In the same Administration Report I find it stated that there was a 'notable increase in the number of Panchamas in secondary schools.

"I will leave now education and pass on briefly to refer to the Judicial and Forest Departments. In the Judicial Department, that section which deals with the Agency Tracts in the Northern Sircars, has continuously paid special attention to the educational, moral and material improvement of the hillmen indigenous to those tracts who come within Mr. Dadabhoy's definition of Depressed Classes, though I fancy that, like the *Bhils* of Bombay, they would rather resent inclusion in that category. Apart from the Agency Tracts the Judicial Department has during the last few years initiated a new departure—the establishment of special settlements for criminal tribes. This movement which is particularly associated with the name of a former member of this Council, the Hon'ble Sir Harold Stuart, has been the subject of special attention during the past two or three years. Turning again to the only book of reference, which I have at hand, the last edition of the Madras Civil Budget Estimates, I find that the matter is of sufficient importance to take up three pages of the detailed estimates, and the details show that there were at least eleven such special settlements scattered over six different districts.

"It remains only to refer to the third and last department, Forests, and there all I need say is that it is the constant endeavour of the district officers of that Department to enlist the co-operation of the hill tribesmen, who are otherwise apt to be addicted to crime, but who, finding themselves provided with regular employment and looked after by intelligent officers, soon learn to do useful work. There have during the past two or three years, in particular, been special endeavours in that way to improve the status of the *Malayalis* in North Arcot and the *Chenzus* in the Kurnool district, and if I had a forest administration report by me I could easily add other instances from at least three or four more districts.

"That, Sir, is all that I have to say on behalf of the 'criminal' to whom I stand in the relation of next friend—and I venture in conclusion to urge that I have made out a clear case to show that my client—the Government of Madras—is entitled to acquittal on the charge of neglecting the interests of the Depressed Classes."

**The Hon'ble Sir Reginald Craddock:**—"Sir, I should like to preface my remarks by saying—and I do not think any one in this Council will contradict me—that the Government of India and every Local Government have always been ready to befriend the poor, oppressed, or depressed in this country, whatever their caste, race or status. The Hon'ble Member who moved this Resolution has brought within its purview classes of the community which are markedly distinct from one another, and present problems which differ totally from one another. He has accused the Government of apathy, and of merely following a negative policy of drift. Well, Sir, my task in

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defending the Government from this charge has been considerably lightened. Not only have representatives of two Governments got up to protest against the accusation, but I find myself in the pleasant position of having two Hon'ble Members, with whom I often have to disagree, as the staunchest supporters of Government of any who have risen to speak. I refer to the Hon'ble Mr. Surendra Nath Banerjee and the Hon'ble Pandit Malaviya. I welcome their support. As my Hon'ble Colleague Mr. Hill said, we can very well leave the Hindu community to make its own defence against the statements made regarding them by the Hon'ble Mover, and on behalf of Government, I can only say that, while we sympathize very greatly with the object which the Hon'ble Member has in view, yet we cannot approve, and in fact no member of this Council, either official or non-official, has expressed approval, of the particular methods which the Hon'ble Mover has advocated. I should like, however, to explain to the Council how widely different some of these problems are, and to indicate very generally how they have been met, drawing also on this occasion, as some other members have done, on my personal experience in this matter which extends now to over 30 years. And in my official career I have been brought in contact with these very problems from the date on which I joined the service, almost I may say, up to the present time. Mr. Dadabhoy includes tribes and castes which are hereditary criminals and regard a predatory life as their special occupation and means of livelihood. Regarding these the problem is one of winning them from their criminal habits, and finding them the means of making an honest livelihood. Various members have referred to the efforts made in this direction, the noble efforts of the Salvation Army, and in addition to these the efforts made directly by Government. It has for many years now been recognised that when you are dealing with criminal tribes, it is not sufficient to hunt them down from here and from there, to catch them when you can and imprison them in jail, or to bind them down under the bad livelihood sections. You have to do these in the interests of the peaceful citizens among whom they rob, but you will never cure them by that means, and you will never turn them into honest citizens. The police in their case are bound always to watch those men, to follow them, to dog their footsteps and to track them down, and in that case, of course, no man has a chance of reforming himself and becoming an honest citizen. It is in recognition of this that the Government have passed measures which enable them to deal with criminal tribes; and it is in recognition of this that the Government have assisted and helped the Salvation Army in their efforts to meet and deal with this great evil. Reference has been made to the work done by Mr. Starte in the Bombay Presidency. His methods have been so successful that his special duty has, from time to time, been extended and he is turning castes which led a life of plundering their fellows and of vagrancy and crime of various descriptions—coining, cattle-lifting, miscellaneous pillage of all kinds—he is turning them into steady cultivators, and in some cases even he has found them employment in mills, and there is every chance that those men will before long be weaned entirely from their former methods. Well, Sir, it is quite true that we have not found in every Province officers of Government who are equally successful in dealing with these men, and that the Salvation Army's help has been requisitioned from time to time. I do not care whether it is the Salvation Army or whether it is any other reforming body, but I do say that zeal, it may be religious zeal, is very often a necessary element in pursuing this difficult task among people of this kind and in winning them from evil ways. The fact that a man feels that he has a mission behind him encourages him to pursue his task, and enables him to inspire confidence among these men far more than can be secured by a mere paid official whom they recognise draws his salary and is merely doing the work for wages and not for any higher reward. Sir, I am sure the Council will agree that no more can be done than is being done in the direction of these criminal tribes. It is a slow process, and we are moving as steadily as we can. The Punjab Government have put forward a scheme which in these hard financial times we may not be able to start at once, but which, we hope, will be successful, and the Madras

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Government and the Government of Bombay have done their part, the United Provinces also, and some of the other Provinces where the problem is not quite so acute. But I have no doubt that, as time goes on, in every part of India the efforts to deal with this question will be more and more skilfully conducted and more and more successful.

"Now, Sir, I pass to another category of men to which the Hon'ble Mr. Dadabhoy has alluded. As far as I can make out from his remarks, he has included among these Depressed Classes people who might be described as submerged merely on the ground of poverty. The occupations which they follow may be of so menial or humble a character that few of their number can expect to earn more than a bare subsistence. The problem in the case of these men, Sir, is the whole problem of the distribution of wealth, the problem of the fight with poverty, and no Committee that could be got together, whether Official or Non-Official, could find us, for that purpose, any immediate solution. All the measures that we take to improve the education of the country, to improve agriculture and so on, will re-act beneficially on the poverty which must exist in all communities, and which must of course claim a number of victims in so large a country as this. We hope, and every one must hope, that as the development of the country proceeds, as irrigation is extended, as agriculture is improved, as industries develop, that, simultaneously with the improvement in all the better classes, must likewise come an improvement in the condition of those who may be described as 'hewers of wood and drawers of water'. But at all times, and in all places, the Government is always ready to help and assist those classes to the best of its powers.

"The third class to which the Hon'ble Mr. Dadabhoy refers is the aboriginal. As the Hon'ble Mr. Hudson has pointed out, it is quite incorrect to place the aboriginal among the Depressed Classes, that is to say, if you count the Depressed Classes as people who are in a condition of degradation. That is not the position of the aboriginal at all. They number among their ranks Feudatory Chiefs of small States, Zamindars of various degrees, cultivators and agricultural labourers, and, even if you come down the scale to the very bottom, you will find even among the tribes which inhabit the forests and live by hunting,—if they cultivate at all, they cultivate by fire and the axe,—that they are proud of their traditions and of their ancestry, and they will trace their descent, it may be to the sun or moon, along with many of the higher castes of India. And among these men, Sir, will be found many virtues—virtues of patience, courage, simplicity and honesty. The wilder men are the true children of nature, and one of the chief difficulties that the Government has to contend with, is that, as you bring these men into contact with civilization, the first contact produces deterioration, and that is one of the problems we have to deal with in connection with aboriginal races. But it is quite untrue to suggest that Government has followed a policy of drift with regard to aboriginals. In their case, the history of legislation in India shows many enactments, especially land enactments, for the benefit of these classes. I have personally had great experience in dealing with aboriginals. I know that, as regards many of the *Gonds* of Balaghat and Mandla, a great deal has been done to settle them on the land; their migratory habits are disappearing, their cultivation has improved, and they contribute to society many respectable members. In addition to that, the most noticeable feature in my time has been the tendency of these people, who were once wild and shy, to improve themselves and to ask for schools to be opened among them. That is one of the most gratifying signs of improvement which I have noticed in the course of my service, and the progress has been from year to year. Sir, these *Gonds* are by no means depressed. They show very high virtues. I recollect that, in the great famine of 1896-97, there was an Engineer who had won the confidence of these people. The work on which he was engaged was the building of a tank, and these men had promised him that they would work hard and finish the tank before the rains broke. Some time after, while the tank was yet unfinished, there was an epidemic of cholera and the *Gonds*, as is their wont when they are frightened by epidemics,

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left in a body. Yet, within three days these men came back and said :—‘ Well, cholera or no cholera, we promised the Sahib that we would finish this tank, and here we are ’ ; and they finished it. There was another movement of reform—a temperance reform—among the *Gonds* of Balaghat District with which my Hon’ble friend Mr. Low, who was Deputy Commissioner when I was Commissioner of the Division, and I were closely associated. It was a purely spontaneous movement which we did our best to help, and in order to do that, we caused large sums to be remitted from the excise farms of the *Kalars*, for the *Kalar* has ever been the worst enemy of the *Gonds*. That movement subsisted for a long time—it subsisted, I think, for two or three years—and then unfortunately, the reformers at the head of it were unable to keep it going, though a few of them remained total abstainers. To indicate the zeal shown by these reformers, I may mention that the head of this movement had prescribed penalties for any one who indulged in liquor. Unfortunately, one of his own wives went to a neighbouring bazaar, and bought three pice worth of liquor. This was a very awkward predicament for him, but he rose to the occasion. He cut off her hair, and tied it up on an arch at the entrance of the village as an example to all who offended against the rules that he had promulgated of total abstinence. As my friend the Hon’ble Mr. Low said, this was more creditable to his zeal than likely to conduce to his domestic felicity.

“ The last class with which the Hon’ble Member dealt, is one with which the speeches to-day have been mostly concerned, and that is, the the class of people who are generally known as ‘ the untouchables,’ whose disabilities are social and religious rather than economic. Among these, as has been indicated by various speakers, will be found persons of every varying grade of prosperity and poverty. Among the *Mahars* of Bombay, and of the Central Provinces and Berar, will be found individuals who own lands, take contracts, speculate in cotton, as well as cultivators, village-watchmen, and labourers of all degrees. With regard to them the difficulty is not that the Government does not recognise them, but that, until the habits and prejudices of centuries are removed, the hands of their neighbours must necessarily press upon them. My Hon’ble friends Pandit Madan Mohan Malaviya and Mr. Surendra Nath Banerji have both stated that the educated Hindu of to-day is prepared to receive his educated brother, whatever be his class or origin. I have no doubt whatever that that statement is correct, and that the educated community are prepared to do all that these Hon’ble Members claim for it. But you must remember that these people live mostly in villages and very often in the back lanes of towns, and that their nearer neighbours have not yet come under these broad and liberal-minded influences. Therefore, as many speakers have indicated, the problem in dealing with this question is more social and religious than purely administrative.

“ I know myself of many difficulties in the matter of schools. There are many places where the *Mahar* boys will not be allowed into the school ; they may be allowed in the verandah, and get only a small part of the master’s attention there, or they may be entirely excluded. But it is only gradually that that difficulty can be met. I have constantly dealt with this very problem on the spot. I have reasoned with the people ; I have said to them : ‘ These are taxpayers like yourselves, either let them come into the school, or, if you wish to indulge your own prejudices—they may be reasonable prejudices, as you consider them—but if you wish to indulge them, should you not contribute something in order that these boys may have a school of their own ’ ? In that way some of the better people have come forward to help in the matter of wells, and schools for the low castes ; they have assisted, and the difficulties have been got over. But of course it is a matter which must take time, and Government itself cannot use compulsion. They go rather near to it sometimes, for example, in travelling by railway, and when petitions are presented in Court. But they cannot ensure that these people shall always be well-treated in their offices. Very often, I think, some of these classes refrain from seeking service they might otherwise wish to secure, because their neighbours are not likely to treat them warmly. Although the Hon’ble Mover described the

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statement made by the Government of Bombay as ‘a magnificent *non-possumus*,’ I think that it very accurately describes what the real difficulties of the situation are. Even though Government is willing to help in every way these unfortunate people, yet it remains true that—

‘the position of these castes and tribes in the future depends partly on their own selves, and partly those more favoured Indian communities, which by extending the hand of human comradeship or hardening their hearts and averting their faces, have it in their power to elevate or to degrade them.’

“That, Sir, I think represents very truly and accurately the position of affairs as regard these Depressed Classes. But within my own time I know that a better feeling has awakened and that prejudices are gradually becoming less and dying out; and I look to that as an augury of much brighter things in the future. I am encouraged in that hope by the statements made by non-official Members in the Council to-day.

“Sir, we sympathise with the objects of the Hon’ble Mr. Dadabhoy’s Resolution. We are willing to go so far as to ask Local Governments to put on record what they have done, are doing, and what further they can do, to improve the condition of these people. But we can place no faith in special Committees. Have I not indicated to the Council how wide are the problems, and how impossible it would be to deal with them by means of Committees? The problems extend over the whole range of Government from top to bottom. What I say is that, while extending our sympathy to the objects aimed at by the Hon’ble Mr. Dadabhoy, we can go no further than promise to refer the question to Local Governments, and ask them whether they can do more than they are doing. That is as far as we can go, and with that assurance, I will ask the Hon’ble Member to withdraw his Resolution.”

**The Hon’ble Mr. Dadabhoy :—**“Sir, I find myself in a very peculiar and unfortunate position. There are two parties in this Council, and they are both on their defensive on this occasion. My justification for bringing in this Resolution, if any justification were needed, is to be found in the unenthusiastic and half-hearted support which I have received from my non-official colleagues. It was no pleasure, I assure you, Sir, to me to bring in this Resolution. If I could possibly have avoided it, I would have very cheerfully and very willingly done so. This is the sixth year of the life of this Reformed Council, as Hon’ble Members are aware, and the second term is now approaching expiration. During the major portion of that time—the five years that I have been on this Council—I anticipated that the champions of public liberty, public spirit and public enterprise and culture—men like my friends the Hon’ble Mr. Surendra Nath Banerjee or the Hon’ble Pandit Madan Mohan Malaviya—would take the trouble of moving a Resolution to this effect. I waited all this time to see if one of these enthusiastic members would bring in a Resolution for the amelioration of the Depressed Classes; but when I found that none of them had taken up the matter—though at times this matter is discussed even in the Congress Pandal in a certain manner; when I found that it was not taken up in this Council—I thought it my duty to do so ———.”

**The Hon’ble Mr. Surendra Nath Banerjee :—**“I must make a correction. We have taken up the matter and we are doing our best in Bengal. It is therefore not a correct statement, so far as I am concerned, to say that we have not been doing anything in connection with the elevation of the Depressed Classes. I hope my Hon’ble friend will make that correction?”

**The Hon’ble Mr. Dadabhoy :—**“My Hon’ble friend has entirely misunderstood me. I said that he had failed to take any action in this Council. I expected him to take this action, and as he had failed to do so, I, as a Parsee, representing a Hindu constituency, thought it my duty to bring this matter for public discussion in this Council.

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“ I find myself, therefore, in a very unfortunate position ; and yet I say that the justification for bringing up this matter is very clear. My friends, the Hon'ble Mr. Banerjee and the Hon'ble and learned Pandit, have said that I made certain statements in disparagement of the community to which they have the honour to belong. I entirely repudiate that. I have the greatest respect for the community to which my Hon'ble friends belong. In the course of my speech, I first pointed out the history of these Depressed Classes, and showed how Hindu society in the past had neglected its duty in this matter. It is only latterly that enthusiasm has, to a certain extent, been awakened and something done for these unfortunate classes.

“ Sir, I think it was not right on the part both of Official and Non-official Members to say that I have not acknowledged the value of the work done by Government in this connection. I made it perfectly clear in the earlier part of my speech that it would be ‘ ungenerous ’—as I mentioned—not to acknowledge the work that had been done by Government. All I wanted to point out was that no special remedial measures of any tangible or appreciable character had been adopted by Government in this connection. It could be gathered from my speech—and the Hon'ble Mr. Banerjee has referred to this also—that one of the chief obstacles to the raising of the Depressed Classes is the aversion of the higher classes to allow the boys of these degraded classes to enter the public schools. That feeling, thanks to the policy adopted by Government, has been gradually dying out ; but I do say that in this connection the higher classes have not come up to the height of the occasion, and have not done all they might have been expected to do.

“ Sir, as regards the statements made by some of the Official Members, first of all, the Hon'ble Mr. Hill stated what has been done in Bombay. Very probably my Hon'ble friend did not like my reference to the Press Note issued by the Government of Bombay on the subject. What I pointed out in my opening speech in connection with this Press Note was that the Bombay Government, instead of taking up the Depressed Classes in their own hands and extending to them material help and assistance and special assistance by means of special schools for them, appointments in Government offices, and instead of making their life a little more bearable than it is, had by that Note left it to the Hindu community to ameliorate the conditions of these classes. And I protested that that was not the proper or the correct policy for a responsible Government to follow, that these degraded classes should not be left to their persecutors. Government should materially help and support them. Under no circumstances have I under-estimated what the Government of Bombay has done in this connection in the presidency from which my Hon'ble friend, Mr. Claude Hill, hails. Mr. Hudson has told us something about the existence of *Bhil* schools and about the inspection of those schools by Government officials, and he has also asked the Council to accept his statement that his individual attention has been paid to these schools. I do not at all doubt the correctness of his statement ; but my friend, Mr. Hudson, would have done better if he had enlightened the Council with information about the proportion these schools bore to the numbers, the attendance there was in the schools, and the amount of money actually spent by the Bombay Government in aid of these schools. And in this connection, Sir, I pointed out in my first speech that the reports of the Directors of Public Instruction were entirely incomplete, and did not give any information on the subject. I also stated that in the last quinquennial report, compiled by the Hon'ble Mr. Sharp, the information on the subject was of a very scanty nature.

“ I do not understand why my Hon'ble friend from Madras, Mr. Davidson, at all got up to speak on this occasion. In my opening speech I commended the work of the Madras Presidency, and I specially pointed out — ”

**The Hon'ble Mr. Davidson :—**“ May I rise, Sir, on a point of order and say by way of explanation that I regarded the Hon'ble Member's reference to Madras as of the nature of that ‘ faint praise ’ which is generally held to ‘ damn ’ the recipient.”

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[*Mr. Dadabhoy.*]

**The Hon'ble Mr. Dadabhoy:**—"You are mistaken, seriously mistaken. I said Madras had done a great deal in that way, and I gave the figures of the school attendance. I also pointed out what had been done, and thanks to the valuable efforts of men like the Hon'ble Sir C. Sankaran Nair the Government of Madras had done some serious work. So I cannot possibly understand his criticisms on my speech. Sir, I have heard with great respect the remarks made by the Hon'ble the Home Member whose utterances in this Council are always characterised by great soundness. I am very pleased to know from him the efforts which the Government has been making in this connection; but I also say that, if the Hon'ble Member had enlightened the Council with greater details on the subject, it would have been better and more convincing. I still repeat what I stated in my opening address to this Council about the Government of India. I do not accuse them of dereliction of duty. What I said was that theirs was a policy of benevolent indifference in this matter, because they contended that this was a social question more or less. But in my opening speech I tried to separate the two; I pointed out how, so far as the social question was concerned, the Government was incapable and incompetent to act, and how so far as the educational, political and industrial advancement of the Depressed Classes was concerned, the Government was in a position to help these people. It is unfortunate this distinction was also lost sight of by my two Hon'ble Colleagues, Mr. Banerjee and Pandit Malaviya. Sir, I shall not detain the Council any further. My arguments have been already placed before the Council; and though the form of my Resolution has been disapproved, and certain statements of mine have been controverted and challenged, and some of my remarks have been disliked for obvious reasons, I am glad to find that there is a general sympathy with reference to this matter. And after the assurance which the Hon'ble the Home Member has given to me that he will advise all the Local Governments to report what they have done in the past, and what further action they can take in the future for the amelioration of the social, moral, educational and industrial progress of the various depressed communities of this country, I do not think it necessary to press my Resolution to a division. This Resolution will do one thing. This debate will stimulate our countrymen to further action; it will stimulate our friends, Messrs. Banerjee and Malaviya, to take up this cause with greater energy; it will stimulate Government to further beneficent action. I have no doubt that Government will take steps in the near future for giving special facilities for the advancement of these unhappy and wretched classes. With these words, Sir, I shall ask your permission to withdraw the Resolution."

The Resolution was, by permission, withdrawn.

The Council adjourned to Monday, the 20th March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,*

*Legislative Department.*

DELHI;

*The 24th March, 1916.*





GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Monday, the 20th March, 1916.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,  
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 57 Members, of whom 49 were Additional Members.

QUESTIONS AND ANSWERS.

**The Hon'ble Sir Gangadhar Chitnavis** asked :—

1. “(a) Is it a fact that in some temporary settled Provinces in India, tenants' rents have been enhanced by Settlement Officers in recent years by more than 100 or even 200 per cent? If so, will Government be pleased to state whether these enhancements are due to raising of the classification of the soil? Enhancement of rents in temporary settled Provinces in India.”

(b) Do Government propose to fix a limit to such enhancement in individual cases, say not more than 33 per cent. where the Settlement has taken place once and not more than 25 per cent. where the Settlement has taken place more than once?”

**The Hon'ble Mr. C. H. A. Hill** replied :—

“(a) It is only in the Central Provinces and in a portion of Orissa that there is any general fixation of rents in the course of re-settlement operations. The Government of India have no information regarding the enhancements which have been imposed in individual cases, but at no recent re-settlement has the all-round enhancement of rents been anything like the figure mentioned by the Hon'ble Member. Only in a few small areas, the circumstances of which have been exceptional, has it exceeded 33 per cent.”

[ *Mr. C. H. A. Hill; Rai Ghanasyam Barua Bahadur; Mr. Dadabhoy; Sir William Meyer.* ] [ 20TH MARCH, 1916. ]

(b) In these circumstances, the Government do not consider that any action in the direction suggested by the Hon'ble Member is called for. Article 217 of the Central Provinces Settlement Code provides for the grant of an abatement of rent in individual cases in which the *per saltum* enhancement is more than can, in the opinion of the Settlement Officer, be fairly imposed."

**The Hon'ble Rai Ghanasyam Barua Bahadur** asked :—

Grazing  
grounds for  
cattle.

2. "(a) Is it a fact that complaints about the want of sufficient grazing grounds for village cattle are frequently brought to the notice of Government. If the answer is in the affirmative, is it a fact that the deficiency of grazing grounds accounts for the distress and deterioration of cattle?"

(b) Do Government propose to consider the advisability of directing all Local Governments to allot a sufficient and suitable area to each village for pasturing their cattle and to publish periodical reports of the progress made in this connection?"

**The Hon'ble Mr. C. H. A. Hill** replied :—

"The Hon'ble Member is referred to the answer given by the Hon'ble Sir Robert Carlyle to a somewhat similar question put by the Hon'ble Maharaja Ranajit Sinha at the meeting of the Legislative Council held on January 12th, 1915, a copy of which is placed on the table.\* I would add that at the meeting of the Board of Agriculture held at Pusa last month, the Committee which considered the general question of the measures which should be taken in regard to the preservation of grazing areas, the improvement of waste areas and the general question of fodder supply expressed the opinion that Local Governments were in most cases taking such action in regard to these matters as lay within the means at their disposal. In the circumstances, the Government of India do not at present propose to address any communication on the subject to Local Governments."

**The Hon'ble Rai Ghanasyam Barua Bahadur** asked :—

Sources of  
fodder  
supply.

3. "(a) Will Government be pleased to state whether the results of any inquiries made by the Local Governments regarding sources of fodder supply have been submitted by them?"

(b) If so, will Government be pleased to lay on the table the papers received from the Local Governments."

**The Hon'ble Mr. C. H. A. Hill** replied :—

"(a) The reply is in the affirmative

(b) Papers on the subject are laid on the table."\*

**The Hon'ble Mr. Dadabhoy** asked :—

Reduction  
in the Rail-  
way pro-  
gramme.

4. "With reference to the statement by the Hon'ble Finance Member in paragraph 21 of his speech of the 1st March that 'the Railway programme was reduced by some £250,000 almost at the outset in consequence of pressure from the Treasury at home,' will Government be pleased to lay on the table the correspondence on the subject between the Government of India and the Secretary of State for India in Council?"

**The Hon'ble Sir William Meyer** replied :—

"It is not proposed to lay the correspondence on the table. But I may explain that the Home Treasury require their previous concurrence to any flotations on the London market during the war, and this applies not only to private company issues, but also to public issues on behalf of India and of the

\* Not included in these Proceedings.

[20TH MARCH, 1916.]

[*Sir William Meyer ; Khan Bahadur Mir Asad Ali Khan ; Sir C. Sankaran Nair.*]

self-governing colonies. The restriction is natural, and indeed, inevitable, in view of the paramount claim of the Home Government for the funds required for the prosecution of the war. It results therefrom that the programmes of development expenditure to be financed by borrowing in London are scrutinised by the Treasury with a view to ensuring all possible curtailment. In the case of India in the current year, the borrowing contemplated at home was £6½ millions. Following similar action already taken in regard to the self-governing colonies, the Treasury desired the omission of the bulk of the provision which we had included in our Railway programme for new lines, a request which was acceded to."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

5. "Will Government be pleased to state for each of the Indian Provinces—

(a) the number of Muhammadan graduates in Arts, Law, Medicine, and Engineering, respectively ;

(b) the number of scholarships for Muhammadans in each of the Indian Universities ; and

(c) the number of Muhammadans employed in the higher grades of the Public Services ? "

Muham-  
madan  
graduates  
and scholar-  
ships  
granted  
to Muham-  
madans.

**The Hon'ble Sir C. Sankaran Nair** replied :—

"(a) A statement\* is laid on the table.

(b) According to the most recent University Calendars there are 9 scholarships of the Bombay University exclusively reserved for Muhammadans, and 15 Government scholarships similarly reserved in connection with the Matriculation of the Punjab University. Scholarships in Persian and Arabic are also given in the Allahabad and Punjab Universities.

(c) The Hon'ble Member will find from a reference to the Gazette of India of the 13th January, 1912, that on the 10th January, 1912, the Hon'ble Sir James Meston, then Financial Secretary, laid a statement on the table which, among other things, showed for India as a whole the number of Muhammadans who in 1910 held appointments of the value of Rs. 500 and over, which is a reasonably fair definition of the higher grades of the public services to which the Hon'ble Member refers. Some later figures were compiled for the use of the Public Services Commission, but these can scarcely be made public in anticipation of the report of that body, and neither, in fact, were they in the precise form now asked for. These compilations involve very detailed inquiries, and as it is probable that relevant statistics will be attached to the report of the Public Services Commission, I would ask the Hon'ble Member to await the publication before pressing for anything further."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

6. "With reference to the reply given in Council on 22nd September, 1915, to parts (b), (d) and (e) of my question regarding candidates for University and public examinations, have the Government of India received the required information from Local Governments and the University of Calcutta? If so, will they be pleased to lay it on the table ? "

Candidates  
for Univer-  
sity and  
public  
examina-  
tions.

**The Hon'ble Sir C. Sankaran Nair** replied :—

"The information has not yet been received from the Government of Bengal and the University of Calcutta. The replies received from the other Local Governments are laid on the table."†

\* *Vide* Appendix A.

† Not included in these Proceedings.

[ *Khan Bahadur Mir Asad Ali Khan ; Sir R. W. Gillan ; Maharaja Ranajit Sinha of Nashipur ; Sir C. Sankaran Nair ; Sir Fazulbhoy Currimbhoy.* ] [ 20TH MARCH, 1916. ]

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

Third and intermediate class carriages on mail trains.

7. “(a) Has the Railway Board referred my proposals *re* the provision of third and inter class carriages in mail trains between Manmad and Delhi, to the Railway Administration concerned, as promised in the answer given in Council on the 24th February, 1915, to my question on the subject ?

(b) If so, will Government be pleased to state the result ? ”

**The Hon'ble Sir R. W. Gillan** replied :—

“ (a) The reply is in the affirmative.

(b) The Railway Company report that it is impossible to attach either intermediate or third class carriages to the mail trains between Bombay and Delhi, as the first and second class carriages and the mail vans make up the full load of these trains. The Company run a fast daily train at mail speed between Bombay and Delhi, composed entirely of intermediate and third class carriages. Though this service is well patronised, it is not considered necessary at present to supplement it. The Railway Board, having considered the matter, are of opinion that they would not be justified in asking the Company to incur the large additional outlay involved in the running of yet another fast train between these points ”

**The Hon'ble Maharaja Ranajit Sinha of Nashipur** asked :—

Experiments in clearing jungles.

8. “ Will the Government be pleased to state if experiments in clearing jungles and undergrowth as an anti-malarial measure have been undertaken in any Province ? If so, where and with what results ? ”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“ The effect of jungle or vegetation has been investigated in various tracts, as for instance by Major Marjoribanks in Salsette and Major Lalor in Katha, but the only experiment in clearing jungle and undergrowth as an anti-malarial measure which is mentioned in the official reports is an experiment recently concluded at Singanama in the Central Provinces. The experiment lasted for 3 years, and after 2 years the spleen rate in the area affected fell from 92 to 62 per cent.”

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

Infant mortality in India.

9. “ (a) Is it a fact that infant mortality in India is 48 per cent, whereas it is 8 per cent in England and Wales, and 7 per cent in Australia ?

(b) If so, is Government in a position to state the causes of this high rate of deaths in India ?

(c) If the answer to (b) is in the negative, do Government propose to ascertain the causes at an early date, and publish the result for the information of the public ? ”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“ (a) The information available to Government appears to show that the figures stated by the Hon'ble Member need correction. In 1913, the mortality rate among infants under one year of age was in England and Wales 10·8 per cent and in the Commonwealth of Australia 7·2 per cent, while, in India, it was 19·2 per cent for males and 19·7 for females.

(b) The Government of India would refer the Hon'ble Member to paragraph 28 of their resolution on Indian sanitary policy dated 23rd May, 1914, and to the reply given to a somewhat similar question asked by the Hon'ble Sir Gangadhar Chitnavis in the Imperial Legislative Council on the 25th February, 1914.”

[ 20TH MARCH, 1916. ] [ *Rai Sita Nath Ray Bahadur ; Sir R. W. Gillan ; Sir William Meyer.* ]

**The Hon'ble Rai Sita Nath Ray Bahadur** asked :—

**10.** “ (a) Has the attention of the Government been drawn to the following portion of paragraph 61 of the Report on the Administration and Working of Indian Railways, by Mr. Thomas Robertson, C V.O., Special Commissioner for Indian Railways, namely :—‘ Under the provisions of the present Indian Railway Act, the calling into existence of the Railway Commission to hear complaints against Railways is considered so costly an undertaking that the Commission has never once been created ? ’ The Rail-  
way Com-  
mission.

(b) If so, do Government propose to give effect to the suggestion, put forward by Mr. T. Robertson, in the first portion of paragraph 61 of the Report referred to above that ‘ the Commissioners, in addition to their duties on the Board, should be employed in association with a Law Member when a question of law arises, as Commissioners for the purposes of Chapter V of the Indian Railways Act (IX of 1890), which regulates ‘ Railway Commissions and Traffic facilities ’, the present Act being revised on the lines of the English Railway and Canal Traffic Act, 1888 (a copy of which is printed as Appendix F of the said Report) so as to permit of the Railway Commission always being in session ? ’

**The Hon'ble Sir R. W. Gillan** replied :—

“ (a) The reply is in the affirmative.

(b) As there is in India a Department of Government entrusted with the control of all railway matters, it is considered unnecessary to legislate in the manner suggested.”

## PRESIDENCY BANKS (AMENDMENT) BILL.

**The Hon'ble Sir William Meyer** :—“ My Lord, I move for leave to introduce a Bill further to amend the Presidency Banks Act of 1876. The legislation proposed is really a corollary to the amendment of the Indian Trusts Act, effected during the current session of this Council, which enables trust funds to be invested in India sterling stock. When the Bill to amend the Trusts Act was published towards the close of last year, the Presidency Banks represented that, if India sterling stock was not one of the securities in which trust funds might be invested under section 20 (a) and (b) of the Trusts Act, as it then stood—this being the assumption on which the proposal to amend the Trusts Act was based—it is equally not a security in which the Presidency Banks are authorised to deal under section 36 (a) (1) and (2) of the Presidency Banks Act of 1876, the wording of the law being identical in each case in its description of securities of the British and Indian Governments

“ The view taken by the Presidency Banks is correct. Under the Presidency Banks Act, as it stands at present, the position as regards this class of securities is, that the Banks are at liberty to transact business in the rupee paper of the Government of India and the sterling securities of the United Kingdom. It is now proposed to add India sterling stock to this list. The Amending Bill does not therefore represent any new departure : it will, if passed into law, merely have the effect of removing an unintended and inappropriate disadvantage which at present attaches to that portion of the securities of the Government of India which is issued in sterling. I may also refer incidentally to the fact that the Banks are at present authorised to deal in several other classes of securities besides those of Government, such as municipal debentures ; and it is anomalous that any class of Government securities should have a lower status than these for the purposes of the Presidency Banks Act.

“ It is proposed to effect the object in view by adding to section 36 of the existing Act, as in clause 2 (i) of the Bill, a provision making express mention of India sterling stock. The Bill also contains some minor consequential amendments.

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            *RE* ABOLITION OF THE SYSTEM OF INDIAN INDEN-  
            TURED LABOUR.

[ *Sir William Meyer; The President; Pandit*      [ 20TH MARCH, 1916. ]  
            *Madan Mohan Malaviya* ]

“As is mentioned in the Statement of Objects and Reasons, the Presidency Banks have in the past been under the impression that the existing Act already confers the power to transact business in India sterling stock, and in certain cases such stock has been actually purchased in this belief. Clause 4 of the Bill validates these past transactions, this following naturally from the fact that the legislation proposed is, as I have already explained, intended merely to rectify an evident anomaly.

“With those remarks, my Lord, I move for leave to introduce the Bill.”

The motion was put and agreed to.

**The Hon'ble Sir William Meyer:**—“My Lord, I know formally introduce the Bill. Also, in view of the urgency of the matter, and the fact that this Bill, as I have explained, is merely ancillary to an amendment already effected in the Indian Trusts Act by this Council the other day, and that it merely sanctifies, so to speak, a practice which, as I have mentioned, has already been adopted in several cases, I beg to move your Excellency to suspend the Rules of Business, so as to admit of the Bill being taken into consideration.”

**His Excellency the President:**—“I suspend the Rules of Business.”

**The Hon'ble Sir William Meyer:**—“I now move that the Bill be taken into consideration.”

The motion was put and agreed to.

**The Hon'ble Sir William Meyer:**—“My Lord, I now move that the Bill be passed.”

The motion was put and agreed to.

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**RESOLUTION *RE* ABOLITION OF THE SYSTEM OF  
INDIAN INDENTURED LABOUR.**

**The Hon'ble Pandit Madan Mohan Malaviya:**—“My Lord, I beg to move—

‘That this Council recommend to the Governor General in Council that early steps be taken for the abolition of the system of Indian Indentured Labour.’

“It is now nearly eighty years since the system of indentured labour was first introduced in India. It followed in the wake of the abolition of slavery by the British Parliament in British Colonies. That happened in 1834, and at that time the planters in British Colonies, who severely suffered from the total abolition of slavery, tried to get labour from India in order to carry on their work. They could not reconcile themselves to the loss of slave labour, and the object that they had in view was to get persons who would work for them under conditions as favourable to them as they could establish. The Sanderson Committee, which was appointed a few years ago, said that the object of these planters was to re-establish the conditions of labour, so far as they could, which existed when slavery had not been abolished. ‘The aim of the planters who had suffered so severely from the entire discontinuance of slave labour,’ said the Committee, ‘was too often to acquire complete control over the labour market by means of regulations and administrative measures which aimed at compelling the coolie to re-engage himself on the expiry of his indenture rather than encouraging free settlers.’ In consequence of this feeling, the laws relating to Indian immigrants, introduced into several colonies, ‘gradually assumed a complexion less and less favourable to freedom, and, as the report of subsequent

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Commissions show, they were framed and administered in a spirit of substantial injustice to Indian immigrants.'

" Various serious abuses naturally cropped up under this system in different Colonies, and Commissions were appointed in Mauritius, British Guiana and Natal, and some of the most flagrant abuses were remedied. In the meantime, the establishment of recruiting depôts in India at various centres gave rise to complaints of kidnapping and other objectionable practices, and the question of revising the existing enactments relating to emigration was taken up for consideration in 1882, and an Act was passed in 1883. The aim of the new Emigration Act, Act XXI of 1883, was to ensure prompt and careful registration of emigrants, so as to enable them to be easily traced, and to provide for magisterial supervision of up-country depôts. But as the Resolution of the Government of India, issued in 1883, and the speech of Mr. Ilbert showed the object also was to make recruitment more popular : and in his evidence before the Sanderson Committee, Sir Edward Buck, who was for fifteen years Secretary to the Government of India in the Department of Revenue and Agriculture, said that the legislation of 1883 did make recruitment much easier.

" In 1908, the Emigration Acts were consolidated, and up to that time the Government of India were not much perturbed in mind as to the treatment which Indians received in the Colonies. In 1909, Lord Crewe appointed a Committee 'to consider (1) the general question of emigration from India to the Crown Colonies ; (2) the particular Colonies in which Indian immigration may be most usefully encouraged ; and (3) the general advantages to be reaped by India itself and each Colony.'

" During all this time the Government of India put their trust exclusively in the Colonial Governments and laws for the fair treatment of Indians during the period of indenture there. As the Hon'ble Mr. Ilbert stated, in presenting the Report of the Select Committee on the Indian Emigration Bill, in 1883, every precaution had been taken which our law could enforce 'that the emigrant should be properly treated from the time when he leaves the place where he is recruited to the time when he lands in the Colony for which he is bound. Further than this our law cannot follow him, and after this point we can only provide for his welfare by such influence as we can bring to bear on the Government of the country in which he has established himself.'

" In 1909, Lord Crewe appointed a Committee, as I have said, to go into various questions relating to Indian emigration, but the main object of that Committee also was to find into what particular Colonies Indian immigration could be most usefully encouraged. Evidently up to that time the Government did not realise that the treatment meted out to Indians in the Colonies by those under whom they were placed was such as called for very serious consideration.

" The Indian public was in a state of ignorance about the conditions to which Indians under indenture were subjected until the nineties, when Mr. Gandhi began to expose its evils. But both the public and the Government realised the seriousness of the problem when the subject was forced upon their attention by the anti-Indian policy of the Transvaal Government. Since then the condition of Indians in all parts of the world has been a matter for anxious consideration, and it would be no exaggeration to say that, since it was brought to the fore, no question has exercised the public mind more or given rise to greater bitterness of feeling than the ill-treatment of Indians outside their country. I do not propose, my Lord, to refer here to the general question of the status of Indians in the British Empire, though it is a matter of deep and keen concern to all Indians. It may be that that question can best be settled when the war is over. But the question of indentured labour stands on quite a different footing and can be solved without delay.

" The Council will remember that, in 1910, our late lamented friend, Mr. Gokhale, moved a Resolution urging the prohibition of the recruitment of

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indentured labour for the Colony of Natal. He was convinced even then, as he said, that the system should be done away with altogether. But he was content with urging, at the time, as a prudential measure, the prohibition of indentured labour to Natal, and the Government of India was pleased to accept that recommendation, and prohibited the supply of indentured labour so far as Natal was concerned. Two years later, he brought forward another Resolution urging the total abolition of the system, the evils of which he graphically described, and which he rightly characterized as 'a monstrous system, iniquitous in itself, based on fraud and maintained by force, a system so wholly opposed to modern sentiments of justice and humanity as to be a grave blot on the civilization of any country that tolerates it.' It was a matter of deep disappointment to the public that the Government of India were not convinced till then that the system was one which must be ended. They still hoped that it might be mended, and in that hope they appointed a Committee to visit the Colonies and to report on the actual working of the system. The report of Messrs. McNeill and Chimman Lal was submitted to Government more than a year ago, and I regret to say that the report was received by the public with great dissatisfaction and disappointment, as it unmistakeably showed a tendency to underrate the evils of the system and even to apologise for it. The facts, however, which the Committee have recorded tell their own plain tale, and supply abundant evidence to enable every impartial man to form his own judgment. That judgment is entirely against the system. For what in essence is the system? It is one under which simple, illiterate, ignorant village people, belonging largely to the poorest classes, are inveigled into entering into a very solemn agreement which compels them to leave their homes, to leave their kith and kin, and to go to a distant country of the conditions of existence in which they are entirely ignorant, to work in circumstances in which they are practically at the mercy of their employers, for a continuous period of five years, to work under men who do not understand their language, custom and manners, who have no sympathy with them, under conditions in settling which they have no voice, without being informed that they will be liable to be punished criminally, the punishment extending sometimes to two or three months' hard labour, if they fail to perform the tasks which are assigned to them,—tasks, in the fixing of which they have no voice and in making complaints against which they find but little support.

"A system like that, my Lord, is an utterly unfair system. It ought not to be called by the name of a contract as the word is known to legal minds and the legislative codes of the Government of India. Under this system these simple village people go out to distant lands, and are tied down to work there for five years. They cannot buy their freedom, because they have no means to do so. My Lord, in order to show how injuriously this system has worked, I would invite attention to some of its principal features. I will take up the question where the Emigration Act of 1908 left it. When the Bill of 1883 was under discussion in Council, it was proposed by the late Mr. Kristo Das Pal that the nature of the agreement into which the emigrant was asked to enter ought to be explained to him in a written statement with a copy of which he should be supplied. The Hon'ble Mr. Kristo Das Pal urged that it was highly desirable that, in the initial stage of the engagement, the emigrant should have a clear idea of the agreement he was about to enter upon. The Hon'ble Member said :—

'It is well known to Hon'ble Members that the emigrant is often an ignorant and illiterate person unable to read the statement before him and would often ask the recruiter to read it. The recruiter, if he was inclined to deceive him, could quite easily do so. The emigrant was often entirely or almost entirely in the dark as to the nature of the life he would be called upon to live. It was at this stage that it was of the utmost importance that every facility should be given to him to understand the nature of his agreement, and that a statement should be given to him so as to enable him to take it home to show to the villagers and the village headmen and to consult them about it before making up his mind.'

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“This amendment, my Lord, was carried by the casting vote of the then Viceroy, Lord Ripon and a provision was inserted, in the Act as follows :—

‘The recruiter shall give a true copy of the statement to every person whom he invites to emigrate, and shall produce the statement for the information of any magistrate or officer in charge of a police-station, when called upon to do so by the magistrate or officer.’

“It is in consequence of this amendment, my Lord, that in the form of agreement now supplied to those whom it is sought to emigrate, a clause is put in stating that the period of service would be five years and the nature of the labour expected of him, and yet unfortunately all the information that is given to the man who is to be engaged of the nature of the labour which he is to be engaged on is, that it will be work in connection with the cultivation of the soil or the manufacture of produce at a plantation or domestic service. My Lord, nothing is said in the agreement as to the conditions under which he would have to live and work. He was never informed that the moment he would set foot on board the steamer all his cherished ideas and beliefs about caste and religion would have to be abandoned under sheer compulsion; that he would have to sit and dine in conditions under which he would never have consented to dine if he was a free man. My Lord, this has led to grave results. In the admirable report which Mr. Andrews and Mr. Pearson have published on indentured labour in Fiji, they say :—

‘We found, further, on examination that the agreement, which the coolie signs before going out, does not truly represent the facts of coolie life in Fiji. It is a misleading document. Not a word, for instance, is said concerning the penalties which await the coolie, if, for any reason (which he may regard as valid) he refuses to work. Another serious omission from the agreement (seeing that those who sign it are for the most part ignorant and illiterate people) is the failure to record the fact that food-rates in Fiji differ materially from those in India. The coolie is told in the agreement, that he will be paid at the minimum rate of twelve annas a day. But he is not told that the purchasing power of twelve annas in Fiji is scarcely equal to that of five annas in India. He is not told, also, that more is required in the way of clothing and other necessities of life in Fiji than in India. So that the bare living expenses are nearly three times as high in Fiji as in India itself.’

I should add that he is also not told that the 12 annas which is promised will not be paid to him unless he is able to finish the full task that will be set to him. He is also not told that he will be liable to lose in the shape of fines a good portion of the 12 annas. And as I have said before, he is also not told that there will be any interference with his religion. Apart from all other considerations, I am certain that if he was informed that there would be a violent interference with his religion, few of the recruits, however humble their caste, would consent to go to the Colonies.

“Let us, my Lord, now consider the nature of the service which the emigrant is to render. That service is described in the printed form of agreement as agricultural work or domestic service. But Messrs. Andrews and Pearson state it as a fact that some of these coolies, as they are called, have been compelled to perform the hateful task of cutting up meat in a butchery. My Lord, it would be utterly repugnant to all sense of fairness to suggest that domestic service can include the cutting up of meat in a butchery, and yet this has been forced upon our people. The results have been very sad. Mr Andrews says :—

‘A low caste Hindu, who was brought out under indenture for ‘agricultural work’ was set to cut up meat in a butchery. When asked by us how he, a Hindu, could engage in such work, he replied that he could not help it, as he was ordered to do it.

‘A *Kabir Panthi*, now out of indenture, had been originally obliged to do the same kind of work. He told us that he had continually refused and had been imprisoned. We looked up his record on the estate and found he had been given 692 days’ imprisonment while under indenture’

“My Lord, the *Kabir Panthis* are a sect who have a deep-rooted honour of injuring life. That a man like that should be forced to cut up meat under compulsion in a place where he is utterly helpless is a matter which is very sad to reflect upon.

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“My Lord, let us now see who the recruiters are, and what are the devices that they resort to in dealing with the emigrants? In his evidence before the Sanderson Committee, Mr. J. A. Brown, C.S.I., a Commissioner of my Province, stated as follows :—

‘My impression is that the recruiting staff is very bad ; the recruiters are the worst kind of men they could possibly have. They are generally very low class men, and as far as I understand, they are paid by the results, by the number of emigrants that they get. The consequence is that they very often try to entice married women away from their husbands and try to get any body they can.’

In the western districts of the United Provinces the recruiter gets Rs. 45 per head for every male and Rs 55 per head for every female whom he can induce to emigrate. In the eastern districts, he gets less ; and so also in Madras My Lord, the temptation is strong enough to induce low class people to practise every fraud and deception they can for their selfish gain. The Sanderson Committee admit that a fair proportion of the emigrants leave India without having any clear idea of the duties they have to perform ‘They are uncomfortable it may be and welcome any change of circumstances, or they have quarrelled with their families, with their parents and leave their home in search of work and have not been able to find it.’ But that is not all. Several of them are actually deceived and most unscrupulously so Say Mr. Andrews and Mr. Pearson :—

‘In a very large number of cases the coolie’s own home people knew nothing about his recruitment. Very possibly many such coolies were escaping from justice, or running away from some family quarrel at the time. But others were clearly quite simple village people, involved in no such trouble. They had lost perhaps their relations in a crowded railway station. They were on a pilgrimage and did not know the way. They were merely going from one village to another, when the recruiting agent came along and tempted them with his story. It was noticeable among the women how many were recruited at the pilgrim centres. The common narrative was, that the recruiting agent came up, offering to take the woman to her relations, or to show her some sacred shrine, and then took her to the depôt instead. The evidence given of such practices was far too circumstantial in detail, and far too frequently given with fresh detail and fresh names of places, to allow of any doubt concerning its substantial accuracy.’

“My Lord, time will not permit of my mentioning all the cases of deception which have been referred to by Messrs. Andrews and Pearson, and which are mentioned in the memorial of the Marwari Association. But there are just one or two which, I think, I should mention. After speaking of other cases, Mr. Andrews goes on to say :—

‘We then went to see a *Gaur* Brahmin who had gone mad on account of his wife being taken away by the recruiting agent. The whole neighbourhood collected, showing their sympathy and pity. The madman was a pathetic sight to witness. Then a respectable Jat came up to us. His brother was blind and had an only son who was taken by the recruiters. A Hindu, by caste a Bania, spoke to us concerning his wife. She had been taken by the recruiters, and he was very bitter against them. We asked him if he had made any attempt to get her back. He said he could not.’

“My Lord, I have personal knowledge of several cases of deception practised by recruiters which have happened during the last few years in my Province. Many a time have I or some of my friends tried to get a woman rescued from the depôts. None but a magistrate or a person who has obtained a permit from a magistrate can enter any such depôts. When we enter them we ask for the woman who, we have been informed, has been induced by false pretences to go there. Either she is not produced, she is produced after being tutored to say exactly what the recruiter wishes her to say. If she says anything different, she knows she will be dealt with harshly by the recruiters. Mr. Andrews truly observes that the recruiting agent is able to stupefy these victims of his fraud with fear ; he is able to coach them in the questions they will have to answer, and they very rarely refuse to reply according to his directions when the time comes.’

“When the emigrant has embarked on board the steamer, he is confronted with the state of things which I have already mentioned. In addition to that there is absolutely no privacy for the modesty of women. Altogether the

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conditions in which emigrants find themselves are so hard that, as Mr. Andrews points out, there have been lamentable and tragic cases of Indians, both men and women, who have thrown themselves into the Hughli in order to escape from the emigrant ships, and also of actual suicides occurring on the high seas.

“When the emigrants get to the Colonies, they are confronted with trouble of different characters. The hours of work fixed are about 7 hours in British and Dutch Guiana, and 9 hours in the remaining three Colonies. Including intervals for meals, the labourers have to be out for about 10 hours. This, my Lord, is too long, and in the case of women it is harder still. They have to get up between 3 and 4 in the morning to cook their food, and to be at the farm at about 5 and to remain there the whole day. What is worse, in the case of those who have children, they have to leave their children behind in order that work should not be interfered with. This is cruel enough. But to show that it is worse still in practice, we have a case mentioned by Mr. Andrews in which an overseer actually whipped a woman who was taking her child with her because it was ill, and compelled her to leave it behind.

“In every Colony an adult male is paid, roughly speaking, at the rate of 12 annas per day, while the women receive 8 or 9 annas a day. But it would be a great mistake to think that their daily earnings amount to 12 or 9 annas. On the contrary their average earnings are very much less. As the subject is a very important one—it having been frequently asserted in favour of indentured emigration that it benefits the labourer financially—it is necessary to go into details. In Trinidad, the daily wages of an able-bodied adult male and an adult female are  $12\frac{1}{2}$  and 8 annas, respectively. But the average weekly earnings on the estates visited by the members of the Committee of 1913 amounted to 4s 3d. or Rs. 3-3 only. The food of an active industrious man, says the report of the Committee of 1913, costs about Rs. 2-4, and that other wants may increase the expenditure to Rs. 2-10. This is the minimum expenditure. Thus the savings cannot amount to more than 9 annas per week. But so far no account has been taken of the labourer's family responsibilities. If these be taken into consideration the margin will appear to be more nominal than real. That this is the correct view to take is abundantly clear from the fact that the Committee appointed by the Government of India recommends that an average of 5s. 6d. or Rs. 4-2 should be aimed at. And if this result cannot be secured in any other way, it proposes that the wage unit should be raised or a bonus given to steady workers.

“Women earn from  $\frac{1}{2}$  to  $\frac{2}{3}$  of what men do, and their wants cost from 2s 6d. upwards. Thus they hardly earn enough to maintain themselves. It is worth mentioning that, while the Committee of 1913 states that the wages per adult male averaged 4s. 3d. per week, it was stated before the Sanderson Committee that the labourers had long ‘ceased to receive the 5s.  $2\frac{1}{2}$ d. solemnly promised in India as a minimum, their present earnings being in the neighbourhood of 3 shillings per week.’ It was contended that this was ‘nothing short of deliberate misrepresentation.’ ‘The immigrants’, it was said, ‘were not promised 5s.  $2\frac{1}{2}$ d. per week but 25 cents ( $12\frac{1}{2}$  annas) per day for every day they worked. This they have never failed to receive’ Were the labourers made to understand these subtleties when they were tempted to leave their country?

“My Lord, according to the figures supplied to the Sanderson Committee, the average weekly earnings in British Guiana in 1906, 1907 and 1908 amounted roughly to Rs. 3. The average has apparently risen, as it is stated to have been Rs. 3-10 for 1910, 1911, 1912 and 1913. The cost of living being much the same as in Trinidad, it is clear that there is no margin for savings here. In Jamaica, the loss of working days owing to sickness is excessive, and it appears from the figures given by the Committee of 1913 that average earnings are below 9 annas per day, or less than Rs. 3-6 per week. The cost of living being slightly higher than in Trinidad, it is quite clear that the wages are insufficient. In Fiji, the wages are the same as elsewhere, while the cost of food and clothing is higher.

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There is therefore even a smaller chance of saving anything here than elsewhere.

“The daily wages of an adult male are 13 annas in Dutch Guiana. But the average number of working days in 1909, 1910 and 1911 was 187, 187 and 177, respectively. Roughly speaking the average number of working days is about 180. The annual earnings therefore come to about Rs. 150. As the cost of food and clothing is about 4 shillings per week, the annual expenditure too is about Rs. 150. And yet the Committee of 1913 felt no compunction in saying—

‘The proportion of annual remittances to India or deposits in the Savings Bank contributed by indentured immigrants is not known, but habits of remitting or saving are almost always formed during indentured service!’

“The observations of the Sanderson Committee confirm the accuracy of the facts mentioned above. It states that during the first one or two years the labourers can hardly be expected to save anything. That they are unable to lay by anything even in subsequent years is also clear from the facts mentioned by it. In British Guiana an attempt was made to induce the ex-indentured labourers to settle in the colony by enabling them to commute the right to a return passage for a grant of land. But the attempt proved unsuccessful, and in Sir Charles Bruce’s opinion—

‘The cause of failure was that the immigrants, when they became entitled to the return passage, were hardly yet in a sufficiently independent position to make their living entirely by the produce of their own land.’

And it may be noted here, adds the Committee,

‘that later experiments of the same nature in other Colonies have been equally unsuccessful.’

Can there be a more convincing proof of the poverty of the Indian immigrant?

“The economic condition of the labourers may be tested in another way. In 1911-12, 469 statute adults, excluding those rejected or sent back as unfit, returned to India and brought back with them from Trinidad about £9,150. This gives an average of less than £20 per head after a stay of at least ten years. In 1912-13, 608 statute adults returned to India from British Guiana with savings amounting to about £1,45,000, which gives an average of £240 per head after a stay of at least ten years. From Fiji, 414 men brought back savings amounting to £13,800, which gives an average of £33 per head after a stay of at least ten years. From Dutch Guiana, 603 men returned in 1911-12 bringing with them savings amounting to about £5,700, or about £9 per head after a stay of at least five years. With the exception of Fiji, the savings do not amount to much in the case of any colony. Besides, it has to be remembered that the savings include the earnings of immigrants—for at least five years in the case of the British colonies—as free men. There is nothing to show that any appreciable portion of the savings was accumulated during the period of indenture.

“Then, my Lord, as to the nature of the tasks imposed and the hardships of the conditions under which these immigrants work, the number of prosecutions gives very remarkable evidence. This is the cruellest part of the story. That the number is excessive has been admitted by the Sanderson Committee and the Committee appointed by the Government of India, and both have referred pointedly to it in their reports. It reveals the true nature of the indenture system, and shows that it is perilously akin to slavery. Men can be prosecuted not only for desertion or criminal conduct, but even for using insulting words or gestures. The whole of the evidence before the Committees of 1909 and 1913 was to the effect that Indians are very docile and law-abiding and very easy to manage. Why should there be such a large number of prosecutions then? Obviously, the system places too much power in the hands of overseers who seem to regard everything but silent and unquestioning obedience as a crime. In order to give an adequate idea of the extent of the evil, it is necessary to mention a few figures. There has been some improvement in recent years, but the position is still intolerable. In 1911-12, the indentured population in Trinidad was about 9,600, and

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the number of prosecutions about 2,000 ! The percentage of prosecutions to the indentured population was, therefore, 21 ! The Committee appointed by the Government of India recommends that prosecutions should be reduced by the direct interference of the Immigration Department ; and remarks that reliance on the Courts seems to have become ' a habit of mind with the majority of the managers ' In British Guiana, the number of indentured labourers was about 9,600 in 1912-13, and the percentage of prosecutions, which was much higher in previous years, was 18·3. On large estates the percentage varied from 0 to 32 per cent. The Committee of 1913 explain this in their own characteristic manner by saying —

' Though managers are very far indeed from being harsh towards their labourers, the majority have developed a wrong sense of proportion.'

" In Jamaica, with an indentured population of about 4,200, the percentage of prosecutions was 12 in 1912-13. Formerly it was much higher, but it has fallen very recently For Fiji, the corresponding figures are 15,100 and 7·4 per cent This figure is the lowest when compared with the percentages of other colonies, nevertheless it will be admitted that it is high enough. But for the peccant employers, say the Committee of 1913 in their cynical style —

' the palliating circumstance may be noted that they have been taught in a school which shows very little consideration for neglect or incompetence, and the impatience which they manifest towards the Indian is exactly the same as they manifest to all others.'

In Dutch Guiana, with its indentured population of 5,800, the percentage of complaints was 16·6 in 1911. It is thus seen that the position everywhere is highly unsatisfactory. The labourer's life is practically made intolerable. He is in a country where his language is not understood, and the Inspectors and Magistrates belong as a rule to the class from which the planters come. Knowing human nature as we do, it is idle to expect justice under such circumstances. Yet the Committee of 1913, in reviewing the whole subject, has the heart to say that—

' if too many labourers were judicially punished, all but the most worthless were gainers in skill, enterprise and self-respect !'

Can cynicism go further? One may be pardoned for asking what faith can be placed in the impartiality of men imbued with such extraordinary sentiments.

" My Lord, the most degrading feature of the indenture system is the immorality associated with it The law requires that the number of female immigrants must be 40 per cent of that of the male immigrants, and the women need not be the relations of the male labourers The consequent paucity of women and the character of the women recruited have been a fruitful source of immorality. With the exception of Trinidad, the number of adult males in every colony is about twice that of the adult females. In Fiji and Dutch Guiana, the males are almost exactly twice as numerous as the females. In Jamaica, the number of men is  $2\frac{1}{2}$  times that of women. In Guiana, the proportion in the population above 15 years of age is as 3 to 2, and in the population above 20 years of age it is as 5 to 3. In Trinidad, the proportion of males to females in the total population is 7 to 5. If the adult population only were considered it would perhaps be appreciably higher. As to the character of the women recruited, the Sanderson Committee states that—

' the Government of India wrote long ago to the Secretary of State that they largely consisted of prostitutes, or women of the lowest classes in whom habits of honesty and decency are non-existent.'

And the Committee of 1913 states that —

' the women who come out consist, as to one-third, of married women who accompany their husbands, the remainder being mostly widows and women who have run away from their husbands or been put away by them. A small percentage are ordinary prostitutes.'

" The evil results of this outrageous system are easily—too easily—discernible in the lives of the people. We have fuller material to judge of them in the case of Fiji than in the case of other colonies. It will therefore be more profitable to discuss the state of things in Fiji. Mr. J. W. Burton denounced the immorality prevalent in the estate population some years ago

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in scathing terms, and Messrs. Andrews and Pearson's experience confirms the accuracy of his statements—

'We cannot forget, they write, our first sight of the coolie lines in Fiji. The looks on the faces of the men and the women alike told one unmistakable tale of vice. The sight of young children in such surroundings was unbearable. And again and again, as we went from one plantation to another, we saw the same unmistakable look. It told us of a moral disease which was eating into the heart and life of the people. . . . Though we were no novices to conditions such as these, yet what we met with in Fiji was far worse than we had ever anticipated. There seemed to be some new and undefinable factor added,—some strange unaccountable epidemic of vice. The sanctity of the marriage tie is utterly disregarded and bestiality reigns supreme. Women exchange their husbands as often as they like, and girls are practically bought and sold. And the marriage law has made things worse. Religious marriages have no validity, and the children of unregistered unions are regarded as illegitimate. As the majority of Indian marriages are unregistered, one has not even to take the trouble of applying to the Courts for dissolving a union.'

'Sexual jealousy has inevitably led to a great increase in suicides and murders. A good proportion of the suicides must be attributed to the conditions of life on plantations, but the disproportion between the sexes is also partly responsible for it. The rate of suicide during 1908-1912 among the indentured Indians stood at the appallingly high figure of 926 per million, and among the non-indentured population at 147, while the rates for Madras and the United Provinces—the provinces from which the immigrants largely come—are only 45 and 63, respectively. As for murder, Messrs. Andrews and Pearson state that—

'There has been one conviction for murder each year in every 300 persons, or 333 per million per annum,'

while the corresponding proportion for Madras and the United Provinces is only 4.

'It is noticeable,' they add 'that the greater portion of the people murdered are women. On the other hand, almost all the suicides in Fiji are those of men. In India, what few suicides exist are generally those of women.'

'My Lord, what a horrifying record of shame and crime is unfolded here? One hopes that the other colonies are not subject to the same curse, but one fears that they are unfortunately no better.

'There is no doubt,' wrote the Committee of 1913, 'that the morality of an estate population compares very unfavourably with that of an Indian village, and that the trouble originates in the class of women who emigrate.'

While as to suicides, in Jamaica the mean suicide rate among indentured labourers during the decade 1903-04 to 1912-13, was 396 per million; among the indentured population in Trinidad during the same period the rates were 400 and 134 for the indentured and the free immigrants, respectively. In British Guiana, the corresponding figures are 100 and 52, and for Dutch Guiana, 91 and 49. These figures conclusively demonstrate the difference between the conditions of life of the indentured and the free labourers, and show the appalling state of things existing in Fiji, Trinidad and Jamaica. If anything were wanting to complete this picture of human degradation and misery, it might be stated that 90 per cent of the violent crime in Fiji is committed by Indians, while according to an Indian doctor of British Guiana the last census showed that 90 per cent of the beggars and 78 per cent of the lunatics were Indians.

'Even if all that is said about the financial prosperity of the indentured labourers is true, it is a matter of no consideration, when we reflect on the broken hearts and the blasted lives that are the outcome of the indenture system. Can any amount of wealth ever compensate for the utter loss of character that it necessarily entails? Of what use can such moral wrecks be to themselves or their fellow-men? What shall it profit a man if he gain the whole world but lose his own soul?

'My Lord, it has been shown that the indenture system is thoroughly indefensible. It begins, as Mr. Gokhale observed, in fraud and is maintained by force. It does not benefit the labourer. He can earn as much at home as abroad. On the contrary, it is a curse to him. And it lowers the status and wages of the free population and brings the name of India into contempt. It is

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a source of advantage to the capitalist only who uses the labourer as a tool, and the sooner a system like this, which permits of such heartless exploitation of human beings, is put an end to the better will it be for all concerned

“ My Lord, no reforms will prove sufficient ; tinkering will not do ; the system must be abolished root and branch. During the last three-quarters of a century a policy of tinkering has been tried and has failed. Commissions have been appointed to inquire into abuses, deputations have been sent to other countries, and changes have been made in the law to safeguard the interests of the labourers, but they have failed to combat the evil. On the contrary, the complaints are growing louder and louder, and its victims are crying to us for deliverance. Nothing short of a complete abolition of the system will meet the requirements of the case, and it is the duty of the Government of India to take that step unhesitatingly.

“ My Lord, wherever the indenture system has been tried it has failed. It was tried in Natal, the period of indenture being five years, and we know how miserably it failed there. The introduction of Chinese labour under contract for five years led in the Transvaal to equally undesirable results, and it had to be abandoned. In the Straits Settlements and the Federated Malay States, the agreement is for 600 days only, but indentured labour is being steadily replaced by free labour, and the change has been attended with beneficial results.

“ My Lord, European labour is employed all over the world, but nowhere are such degrading restrictions attached to it as those that attach to Indian labour. And although the European labourer is far more capable of judging of his own interests than the Indian labourer, the greatest care is taken to ensure that he has understood the exact terms of his contract. And then the contract, which is always for a very short period, is a purely civil contract, and can be cancelled if the labourer can prove in a Court of justice before a magistrate of his own race that unfair advantage was taken of his ignorance.

“ My Lord, human reason and experience alike show that indentured labour is an unmitigated curse, and the greater the inequality between the contracting parties and the longer the period of contract, the greater is the extent of the evil. And both humanitarian and political considerations—humanitarian far more than political—demand that it should be abolished as early as possible and replaced by free labour, which is, after all, the most efficient form of labour. Indian indentured labourers have too long been denied their birthright as human beings, and it is high time that the yoke of slavery was removed from their necks.

“ My Lord, I shall now conclude. I feel I have sufficiently pointed out the evils which are inseparable from the system of indentured labour. It is a system which cannot be mended ; it is therefore necessary that it should be ended. My Lord, since it was announced that the Government of India had recommended the abolition of this system to the Secretary of State, there has been a great feeling of relief and thankfulness. The system has worked enough moral havoc during 75 years. We cannot think, my Lord, without intense pain and humiliation of the blasted lives of its victims, of the anguish of soul to which our numerous brothers and sisters have been subjected by this system. It is high time that this should be abolished. My Lord, the British Government abolished slavery and paid down £25 million for emancipating the slaves. The Government of India have sacrificed their opium revenue in order to save the Chinese people from its demoralising effects. It is to such a Government that we appeal against the utterly degrading and immoral system of indentured labour, and I am sure we do not appeal in vain. I feel confident that your Excellency's Government will be pleased, as we humbly beg to recommend, to put an end to this system at as early a date as possible.”

**His Excellency the President :—**“ We have listened with interest to the speech of the Hon'ble Pandit Madan Mohan Malaviya which has been

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given with great clearness and moderation, and I rise at this early stage in the debate in order that Council may know at once that Government propose to accept this Resolution. I and my Government have, in fact, already taken the first steps towards the abolition of the system of Indian indentured labour which the Resolution recommends. In the autumn of last year, the Government of India addressed the Secretary of State reviewing the whole position in the light of the information contained in Messrs. McNeill and Chimmanlal's report, and especially bringing to his notice the feeling against the system which has intensified year by year in this country. We informed him that, in our opinion, the moment had come to urge His Majesty's Government to assent to the total abolition of the system in the four British Colonies where it still prevails, and in Surinam. We added that we could well understand that His Majesty's Government, with their heavy pre-occupations during the course of the war, might prefer to postpone the final settlement of the question till after the conclusion of peace; but that we felt that this was no reason why we should not place our views before them on the main issue of the continuance of the system, together with some preliminary suggestions for the solution of the problem of what the future conditions should be under which recruitment and emigration should be permitted. The Secretary of State has informed us, in reply, that he is entirely prepared to accept the policy of eventual abolition advocated by us, and we have his full authority to accept this Resolution. On behalf of His Majesty's Government he has asked us, however, to make it clear that the existing system of recruiting must be maintained until new conditions, under which labour should be permitted to proceed to the Colonies, should have been worked out in conjunction with the Colonial Office and the Crown Colonies concerned; until proper safeguards in the Colonies should have been provided; and until they should have had reasonable time to adjust themselves to the change, a period which must necessarily depend on circumstances and on conditions imperfectly known at present. I am confident that everyone will agree that, as the policy of the abolition of this system has now been definitely accepted and will be carried out, India can afford to accept this delay in a reasonable and generous spirit, recognising that the change should be effected with due regard to existing interests, especially to those important industries in the Colonies which have been built up on Indian labour, and on which the prosperity of some of the Colonies largely depends. There is another reason why this measure of delay need not cause anxiety. Marked improvements have already been made in the treatment of indentured labourers, and others are now in process of realisation. The Government of Fiji passed in 1912 legislation substituting fines for imprisonment in the case of all ordinary offences against the labour law, and has now passed an Ordinance completely eliminating imprisonment for purely labour offences. An Indian Settlement Trust is being established in the same Colony to acquire and administer lands for Indian time-expired labourers, and the Colonial Sugar Refining Company, the principal concern which employs labour in the island, has guaranteed the advance of the necessary sums for financing this undertaking up to £100,000. Similarly, the Government of Trinidad has submitted to the Colonial Office and obtained approval of a draft Ordinance abolishing all imprisonment for labour offences. The Government of India also learn that the Secretary of State for the Colonies proposes to inform Jamaica and British Guiana, and also, in order to avoid all possibility of misconception, Fiji and Trinidad, that the power of imprisonment for labour offences must be completely eliminated from their respective Labour Ordinances before the end of the present year. There is therefore the less degree of urgency so far as the immediate interests of the coolies are concerned, and having the pledge of the British Government for the abolition of the indentured system, India can freely accept the condition that due time should be allowed for other arrangements to be made before the present system disappears for ever. For that matter the delay is also necessary in Indian interests. Some of the worst evils associated with indentured labour, for instance, the morally undesirable features of coolie life in the Colonies, cannot be attributed wholly, or even mainly, to the indenture, and might be found in much the

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same degree under a system of free emigration, merely to abolish indentured emigration, a course which implies the refusal to allow any emigrant to leave the country under a contract, would only bring another set of evils in its train. It would mean that recruiters would induce coolies to go without any agreement, but by the grant of advances, or by fraud, while the Government of India would have greatly weakened their power of interference. Consequently an alternative plan for controlling the conditions of recruitment and emigration has to be worked out, and this must of necessity take some little time; but this need in no way detract from the sense of gladness with which Indians of all classes will learn that the indentured system is now doomed.

“It is a source of great satisfaction to me that I am able to make this announcement in Council to-day. I have always felt an irreconcilable prejudice against the system of indentured emigration from India to British Colonies, and as Council is aware, one of the earliest acts of my administration, and one which gave me profound pleasure, was the prohibition of such emigration to Natal. This narrowed the field of the problem, since the exclusion of Natal left indentured emigration open only to a small number of British Crown Colonies and to Surinam. In 1910, emigration to Mauritius was also prohibited; and though the Government of India have subsequently been approached with a view to its resumption, we declined to consider the proposal. In this way considerable progress was made towards the abolition of the system, which was thus left in force only in respect of emigration to the four British Colonies of Jamaica, Trinidad, British Guiana and Fiji, and to the Dutch Colony of Surinam. My Government then passed the whole question under review in connection with the report of a Committee appointed by the then Secretary of State for the Colonies to consider the general question of emigration from India to the Crown Colonies, including the question of the general advantages to be reaped by India herself and by the particular Colonies concerned. The Committee was presided over by a distinguished ex-member of the Home Civil Service, and contained two gentlemen who had served in India and one member now in the Indian Civil Service, who had had special experience of the recruiting districts of the United Provinces. There was no reason to suppose that the Committee did not conduct their inquiry with due care and impartiality. The whole trend of their report was to show that the system afforded so much economic and material benefit to the coolies that it ought to be maintained in their interest, and when that late distinguished member of our body, Mr. Gokhale, raised the question four years ago, it was on these grounds, based on the data supplied by the Committee's report that my Government were unable to accept his motion that steps should immediately be taken for the total abolition of the system. But though we did not accept his motion, I was greatly impressed, as no one could fail to have been, by the intensity of the feeling against indentured emigration which the debate revealed in this country. Shortly afterwards, also, facts came to my notice which caused me to think that the examination of the question by the Colonial Emigration Committee had not been sufficiently thorough, and I decided to send a special deputation to examine the question anew on the spot in each of the Colonies concerned and in Surinam. I selected for this mission a member of the Indian Civil Service and an Indian gentleman chosen from the United Provinces, the province from which so many emigrants are drawn; and, I confess, I hoped that their investigations would prove the deathblow of the system. In one sense, as I shall shortly explain, it has done so, but not in the immediate and decisive manner which I had hoped and expected. It must be admitted that the first impression produced on reading Mr. McNeill and Mr. Chimmanlal's report is that the evils of the system are not so serious as has sometimes been alleged; and, in fact, the authors of the report have recorded their opinion that the advantages of the system as a whole outweigh its disadvantages, though they by no means ignore certain undesirable features which they wish to see removed. But in spite of their failure to condemn the system root and branch,

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a detailed examination of their report has furnished material which forms an overwhelmingly strong indictment against the further continuance of indentured labour. It has brought to our notice damning facts, which so far as I am aware had not been elicited by any previous inquiry, and which I am sure have impressed His Majesty's Government as they have impressed us, with the necessity of the system being brought to an end. I will tell Council briefly what these are.

"From the purely material point of view, the Government of India, like many other people, had in years gone by looked upon emigration to the Colonies as affording, if only to a limited extent, a means of relief for the congestion and poverty that unhappily prevail in the districts whence the supplies of emigrating labour are mostly drawn. A good deal of detail was given in the report regarding the earning capacity of coolies in the different Colonies. The opportunity was taken, when examining these figures, of comparing the wages which a cooly could earn in the different Colonies, with the wages which were being offered to the same class of men in the numerous parts of India, where there was a good demand for labour, of comparing not only the wages, but the purchasing power of those wages. The elaborate details given in the report brought out in a very striking fashion the effect of the high prices which prevailed in most of the labour Colonies on the value of the cash earnings of the labourer and his family. Not to weary Council with a mass of details, I may state that in the four British Colonies, of which I have been speaking, the average adult labourer, provided that he spends little or nothing except on food and clothes, can save from under 1s. to about 3s. a week. I need hardly explain that, as a matter of fact, he never saves anything like as much as this, but that is after all a matter of human nature. Now I do not wish it to be understood that I am in any way accusing the Colonial employers of paying unreasonably low wages; nor do I wish to minimise the advantages of the prospects that lie before the cooly who has worked through his term of indenture. The labourer who works hard and lives thriftily and keeps himself out of trouble among surroundings which, as I shall explain presently, are morally very undesirable, is usually in a very few years after the period of what we may call his 'economic probation,' able to find for himself a home and a piece of land, or employment in one of the towns from which he can soon gain a very comfortable competence. This I am ready to admit, but why should the labourer have to journey thousands of miles over the 'black water' to settle in a strange country and to place himself for a long period under conditions often of an undesirable, and in some cases of a revolting, nature, in order to achieve the desired end, when he can obtain in India the choice of either better-paid labour, as, for instance, in the big jute areas of Eastern Bengal; or almost equally well-paid labour with the prospects of obtaining in a very few years a home and a piece of land on the Assam tea gardens? It seems rather absurd to find a man going to Fiji for a wage of 26s. a month with rice at 2½ seers to the rupee when he can readily earn 6 or 7s. a week during the jute season in Eastern Bengal with rice selling at a third of the price prevailing in Fiji, with the additional advantage that he can, if he likes, with far greater ease, take his family with him to add to his earnings than in the case of distant Colonies. It is clear, then, that the cooly himself does not stand to gain very much by emigration. From the point of view of India as a whole, it can hardly be seriously argued that indentured emigration to the Colonies is an important safety-valve for congested districts in India, seeing that the total emigration on indenture to the four tropical Colonies during the year 1913, amounted only to a little over 7,700 persons, whereas in the same year, Madras alone sent 117,000 coolies to the Straits Settlements and 190,000 to Ceylon.

"I now turn to a more important and far more unpleasant aspect of the case. It has very long been known and regretted that the sex proportion of the emigrants was unsatisfactory. This of course is not a matter which arises out of the question of indenture. What we are, however, concerned with is the effect which this sex ratio has on the conditions under which the indentured

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coolly has perforce to live during the period of his indenture Here the Government of India for the first time received full information of certain details which showed that there must be something very wrong indeed with the conditions under which these men were living. The death-rate among indentured coolies has been decidedly high in some Colonies, but the Government of India had never before been able fully to examine details regarding the share in this death-rate attributable to suicides. The figures were truly startling. The average rate of suicides per million of all ages are 45 in Madras and 63 in the United Provinces Suicides are especially frequent among persons of the usual age of the indentured labourers, *i.e.*, between the ages of 20 and 30, and we may make a liberal allowance in this respect. But in the Colonies we find the following figures for suicides per million. British Guiana, free population 52, indentured 100; Trinidad, free population 134, indentured 400; Fiji, free population 147, indentured 926. I do not think we have to seek very far for the cause of the state of things which these figures reveal. In a Parliamentary Report for March 1914, the sex proportion among the average Indian population of the various Colonies showed that in Trinidad and Tobago, there were nearly twice as many males as females; in British Guiana, there were about 26 per cent. more, while in Fiji, there were nearly 2½ times as many males as females. As might be expected from these figures, there is strong unofficial evidence to show that the sexual immorality prevailing among the coolies is appalling, and that domestic relations are largely in abeyance. Such sordid and miserable conditions may well predispose an unhappy man to suicide.

“Again, a necessary result of all systems of indentured labour is the enforcement in the Courts of law of breaches of its conditions I gladly admit that prosecutions have, largely in response to our repeated and earnest representations, shown a considerable diminution; but, even so, the average percentage of prosecutions to indentured population during recent years has been—

In Trinidad	.	.	.	.	.	.	.	.	23 per cent.
In British Guiana,	.	.	.	.	.	.	.	.	19 „
In Jamaica	.	.	.	.	.	.	.	.	12 „
In Fiji	.	.	.	.	.	.	.	.	13 „

“The same individual is no doubt often prosecuted more than once, and we must make due allowance for this fact But it is surely an inevitable deduction from the facts and figures I have just been placing before you that the ultimate force which drives to his death a coolly depressed by home sickness, jealousy, domestic unhappiness or any other cause, is the feeling of being bound to serve for a fixed period and amidst surroundings which it is out of his power to change We may fully admit that the undesirable sex proportion may have more to do with this even than the system of indenture itself. This is a matter which in any case will have to be put right But, at any rate, we are at last in a position to free ourselves from the responsibility of compelling the coolly to remain under these conditions without the power of being able to select the place in which, and the master for whom, he will work. I do not wish it to be thought that I am taking a prejudiced view of the action of the Colonies; in matters that concern the physical well-being of the coolies, they have done their utmost I have already told you of the action taken by the Colonial Government in Fiji to abolish the system of imprisonment for labour offences, how this action has been approved by His Majesty's Government, and its extension to other Colonies insisted on. I mentioned also the Fiji scheme for the settlement of Indian labourers on the land. I am not in a position to say that the action taken in Fiji was directly due to the proposals made by Messrs. McNeill and Chimmanlal, but it is no doubt true that the recent policy of the Colonial Government has been largely in keeping with their recommendations.

“I feel that we all owe a deep debt of gratitude to the Secretary of State for India and to His Majesty's Government for their prompt and sympathetic

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[ *The President : Mr. Dadabhoy ; Khan Bahadur* [ 20TH MARCH, 1916. ]  
*Mian Muhammad Shafi.* ]

response to the representations which I and my Government placed before them, and it is fitting for me to take this opportunity of publicly acknowledging their action. Their attitude in the matter fills me with assurance that, what has been promised, will be performed to the letter, and that the end of the system, which has been productive of so much unhappiness and wickedness and has been, relatively speaking of so small an advantage to this country, is now in sight. No one, who knows anything of Indian sentiment, can remain ignorant of the deep and genuine disgust to which the continuance of the indentured system has given rise. Educated Indians look on it, they tell us, as a badge of helotry. This is soon to be removed for ever ; and it is a source of deep personal satisfaction to myself that one of the last official acts that I shall perform in this country is to tell you that I have been able to do something to ensure that Indians, who desire to work as labourers in the tropical Colonies may do so under happier conditions ; and to obtain from His Majesty's Government the promise of the abolition in due course of a system which educated opinion in India has for long regarded as intolerable and as a stigma upon their race. ”

**The Hon'ble Mr. Dadabhoy :—**“ My Lord, I shall not detain the Council after the full, exhaustive and pathetic history of the system placed before the Council by your Excellency.

“ The announcement which your Excellency has just made will be received with feelings of genuine satisfaction all over the country and with a sense of great relief. The theory was long held that this indentured system benefited the Colonies, but the truth is now dawning upon the Colonial authorities also that the moral degradation inseparable from it may prove a serious offset to the temporary material gain. It is not necessary to quote the high authority of Lord Selborne, who, as High Commissioner of South Africa, stated that the system was even worse for the employers than for the employed. For the peace, security and good name of the Colonies and in the interests of colonial administration, therefore, the system should be abolished. To my mind the facts laid before the Council, by your Excellency to-day are conclusive, and the system stands condemned and is absolutely wanting in justification. Your Excellency has always felt strongly for the Indian emigrant, and has championed his cause with an earnestness and firmness which have been a surprise to the world, and which have excited comment in interested quarters. The abolition of this system is a fitting sequel to all your Excellency has done before. The short delay that will be caused in giving effect to this decision of your Excellency's Government will not, I would fain hope, cause any serious hardship. As your Excellency has rightly remarked, the delay may be even justified in Indian interests. My Lord, before I sit down, I desire to add my humble tribute of respect and gratitude to the Secretary of State for India and to your Excellency's Government for this great act of justice to India.”

**The Hon'ble Khan Bahadur Mian Muhammad Shafi :—**“ My Lord, on behalf of the people of my Province I ~~crave~~ permission to offer to your Excellency our grateful thanks for the wise and statesmanlike action taken by your Excellency's Government in connection with the abolition of indentured labour and to His Majesty's Government for their acceptance of the recommendation of the Government of India. After the exhaustive survey of the whole question contained in the eloquent speech which your Excellency has delivered to-day, it is absolutely unnecessary for me, or for any other member of this Council to take up unnecessarily the time of the Council in discussing it further. Indeed so unjustifiable is the existence of this iniquitous system, and so directly opposed to all British ideas of freedom and liberty, that some of us have often wondered why this system has been permitted to exist so long. But, in accordance with the well-known Arabic saying *kallo shai an marhoonan ba alqatiha* it was destined for a Viceroy who by reason of his sympathy for the people of this country has won a place all

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his own in their affections, to obliterate this modern blot on the Indian escutcheon.

“ My Lord, I do not wish to detain the Council much longer. I will content myself by saying that by the recommendation which your Excellency has made to His Majesty's Government in regard to the abolition of the indentured system, you have added to the heavy debt of gratitude which India and her people already owe you.

“ With these few words, my Lord, I support the Resolution.”

**The Hon'ble Pandit Madan Mohan Malaviya :—**“ My Lord, on behalf of the people of my country I beg to offer our humble and deep gratitude to your Excellency, to your Excellency's Government and to the Secretary of State for India for the righteous decision which has been arrived at and which your Excellency has been pleased to announce to-day. My Lord, the news of that decision will be received with great relief and deep gratitude all over the country, and Indians will be particularly grateful to your Excellency for having added one more obligation to the many which your Excellency had already placed them under, particularly so in a matter in which humanity was so deeply concerned. My Lord, there is only one request which I beg leave to place before you. In the circumstances which you have explained, the country will understand that a little time must elapse before the system can be entirely obliterated ; but I submit, my Lord, that as the Government are aware that a great deal of fraud and misrepresentation are practised in recruiting emigrants, the Government should be pleased to issue instructions that, so long as recruiting is permitted, every care should be taken to eliminate fraud and misrepresentation from it. Secondly, my Lord, that full effect should be given to the intention of the legislature as embodied in the law which was passed in 1883, requiring that the emigrant should be fully informed of the nature of the service he is called upon to enter, and should be given a clear idea of the life he will be called upon to live. It should be insisted upon that not a single more Indian should be allowed to go out of his country in ignorance of the facts which will materially affect his life and happiness. And lastly, that no service or condition of life should be imposed upon any Indian who emigrates under the sanction of the Government, which will go against his religion.

“ I hope, my Lord, that it will be possible to consider these three questions and to give effect to them, so that, so long as the system does continue, these causes of complaint shall be eliminated.

“ With these few words, my Lord, I once more beg to offer on behalf of the people of this country our deepest gratitude to your Excellency and the Government for the acceptance of this Resolution.”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ My Lord, although the Government have accepted the Resolution and the Hon'ble Pandit has replied, there are some other speakers who would like to say something. I believe that the Hon'ble Pandit was a little too soon on his legs.”

**His Excellency the President :—**“ If you wish to speak I will allow you to do so.”

**The Hon'ble Mr. C. Vijiaraghavachariar :—**“ Thank you, my Lord, I only wish to say a few words in connection with one part of your Lordship's speech. I need hardly say this is the crowning act of your Lordship's administration, and the gratitude of the country will forever follow you wherever you are, and I need hardly say also that the gratitude of the country is due to His Majesty's Government and to the Secretary of State

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in particular. I would call special attention to one part of your Lordship's speech, and that is, with regard to the important observation that this question of indentured labour and so-called free immigration should be dealt with together. The wisdom of this observation is apparent. We must take very great care that in the abolition of indentured labour, we do not permit the so-called free immigration to assume the evils which indentured labour assumed on the abolition of slavery. In the light of that weighty observation of your Lordship's, I do venture to say that we are prepared to welcome the delay that will be necessary in working out a proper plan and a proper programme. But as to another part, *viz.*, that the Colonies should be consulted, I am not clear that the country will be so very easily satisfied. With due respect to your Excellency and to His Majesty's Government, it looks as if India had entered into a treaty with the Colonies to supply indentured labour to all of them. I very respectfully but firmly protest against the Colonies being given a voice in the adjustments of this country for the well-being of the poor and peasantry of this country. This indentured labour and so-called free immigration have been emasculating this country and have been demoralising it. Your Excellency has already stated, and stated in a few words, that the disproportion of the sexes abroad causes demoralization. I would add as a supplement and corollary, the great surplus number of the women left here, together with the returned emigrants, all these contribute to a kind of demoralization in India which we have not thoroughly investigated.

"For all these reasons I very respectfully submit that, while we are entitled to consult the wishes of the Colonial Governments, we must take very great care that the solution of the problem does not rest in their hands, and that they should not be allowed to retard the progress which your Lordship has conceived and which your Lordship has succeeded in persuading His Majesty's Government to accept.

"With these few remarks, I very respectfully tender my thanks on behalf of this country to your Lordship and to His Majesty's Government."

The Resolution was put and accepted.

The Council adjourned to Tuesday, the 21st March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,*

*Legislative Department.*

DELHI :

*The 29th March, 1916.*

**APPENDIX A.***(Referred to in answer to Question No. 5.)**Statement showing the number of Muhammadan graduates in Arts, Law, Medicine and Engineering in the various Indian Universities*

Universities.	Arts.		Law. B. L.	Medicine.		Engineering.	
	B. A.	B. Sc.		M. B.	L. M. S.	B. E.	L. C. E.
Madras (up to 1914)	150		15	2	9	..	...
Bombay (up to 1915)	172	1	52	...	45	...	7
Calcutta (up to 1915)	1,075	32	282	3	32	4	...
Allahabad (up to 1915)	1,245	46	290	..	...	..	...
Punjab (up to 1915)	777	13	104	19	55	...	...





GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Tuesday, the 21st March, 1916.

PRESENT :

The Hon'ble Sir WILLIAM CLARK, K.C.S.I., C.M.G., *Vice-President, presiding,*  
and 56 Members, of whom 49 were Additional Members.

**QUESTIONS AND ANSWERS.**

**The Hon'ble Pandit Madan Mohan Malaviya asked :—**

1. "(a) Is it a fact that a circular issued by the Government of the Punjab in 1904 prohibits the use of departmental rest-houses by families of the Indian officers of the Public Works Department, unless the written sanction of the Superintending Engineer has been previously obtained, while no such permission is required in the case of the families of European officers and even of European upper grade subordinates of the Department?"

Public  
Works De-  
partment  
Rest Houses  
in the Pun-  
jab.

(b) Have the Government of India received a memorial submitted to them through the Punjab Government by Indian officers of the Public Works Department of that province praying for a redress of this grievance?

(c) Is it a fact that both European and Indian officers were treated alike in this respect in the Punjab till 1904 without giving rise to any complaint?

(d) Do the Government of India propose to advise the Punjab Government to cancel the circular above referred to?"

[*Mr. C. H. A. Hill; Khan Bahadur Mir Asad Ali Khan; Mr. Low; Sir Reginald Craddock; Sir C. Sankaran Nair.*] [21ST MARCH, 1916.]

**The Hon'ble Mr. C. H. A. Hill** replied :—

“(a) and (c). The Government of India have no information in regard to the Circular in question. The framing of rules regarding the occupation of rest-houses is a matter entirely within the discretion of the Local Government.

(b) A number of Memorials were recently received direct by the Government of India from Indian Officers of the Punjab Public Works Department, and this being in contravention of the rules relating to submission of Memorials, they were forwarded to the Local Government for return to the Memorialists for resubmission through the proper channel, namely, through the Local Government.

(d) The Government of India do not propose to take any action in the absence of full information.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

Levy of fees  
under the  
Indian  
Companies  
Act.

2. “With reference to the answer given in Council on the 8th September, 1915, to my question *re* levy of fees under the Indian Companies Act, 1913, have the Government decided to reduce the fees payable under the Act?”

**The Hon'ble Mr. Low** replied :—

“The matter referred to in the Hon'ble Member's question is still under consideration. It is regretted that, owing to the pressure of more urgent business, it has not been found possible to arrive at any conclusion regarding the levy of the fees in question, but the Government of India hope to do so shortly.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

Indian  
Police and  
Criminal  
Investigation  
Department.

3. “With reference to the answer given in Council on the 1st October, 1915, to my question *re* the strength of the Indian Police and Criminal Investigation Department, have the Government now obtained complete figures in answer to the same; if so, will the Government be pleased to lay them on the table?”

**The Hon'ble Sir Reginald Craddock** replied :—

“The Government of India have not yet been furnished with replies from all Local Governments to the reference made to them. The figures in question will be laid on the table when available.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

Village  
panchayats.

4. “(a) Will the Government be pleased to state the number of village panchayats entrusted with general administrative functions and established under the various Local Self-Government Acts in the different provinces of British India?

(b) Do such panchayats contain non-official members?”

**The Hon'ble Sir C. Sankaran Nair** replied :—

“(a) Village panchayats of the kind referred to by the Hon'ble Member exist in Madras, Bengal, Bihar and Orissa, and Assam. In 1914-15, there were 398 union panchayats in Madras, 76 union committees in Bengal, 12 union committees in Bihar and Orissa, and 8 village authorities in Assam.

(b) In Madras all union panchayats contain non-official members.

In Bengal and Bihar and Orissa, save for reasons to be stated in an order in writing made by the Local Government, members of union committees are bound to be elected from among the residents of the union.

[ 21ST MARCH, 1916 ] [ *Khan Bahadur Mir Asad Ali Khan ; Mr. Low ; Mr. Rama Rayaningar ; Mr C H. A. Hill ; Mr. C. Vijiaraghavachariar.* ]

In Assam, members of a village authority may be wholly appointed or wholly elected or partly appointed and partly elected."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

5. "With reference to the answer given in Council on the 22nd September, 1915, to my question *re* Post Office holidays for Mussalmans in Madras, have the Government considered the desirability of including Id-uz-Zuha in the list of holidays to be observed in 1916, and if not, do Government propose to do so ?" Post office holidays in Madras.

**The Hon'ble Mr. Low** replied :—

"In connection with the question of allowing in Madras a second Post Office holiday for Mohammadans in addition to the Ramzan, the desirability of making that holiday the Id-uz-Zuha was considered. But the Id-uz-Zuha in 1916, is expected to fall on Sunday, the 8th October, which is already a regular Post Office holiday, and for this reason it was considered advisable to make the Moharam the second Muhammadan Post Office holiday."

**The Hon'ble Mr. Rama Rayaningar** asked :—

6. "(a) Have Government had under consideration the economic condition of the rural population in India ? Economic condition of the rural population in India.  
(b) If not, will Government be pleased to consider the desirability of holding an inquiry into such condition ?"

**The Hon'ble Mr. C. H. A. Hill** replied :—

"The economic condition of the rural population is one of the most intimate concerns of the Government ; it is a matter on which they possess very full and continuous information ; and it is the governing factor in many lines of administrative activity. There is no particular aspect of it, however, which, in their view, calls for special inquiry at the present moment."

**The Hon'ble Mr. C. Vijiaraghavachariar** asked :—

7. "(a) Has the attention of Government been called to a report which has appeared in the press that the Allied Governments propose to hold a Trade Conference at Paris ? Representation of Indian interests on the Trade Conference to be held in Paris.  
(b) If so, do Government propose to take steps for the purpose of securing direct representation, in that Conference, of Indian interests by representatives from this country, official and non-official ?"

**The Hon'ble Mr. Low** replied :—

"(a) The answer to the first part of the question is in the affirmative.  
(b) As regards the second part, the Conference in question has been convened to consider, firstly, the possibility of putting further concerted economic pressure on the enemy during the war ; and, secondly, to interchange views as to meeting the changed economic conditions after the war. The Prime Minister in a speech delivered on 7th March to a deputation from the Chamber of Commerce, has emphatically stated that the interests of every part of the Empire, India being specifically mentioned, would be borne in mind in entering on the Conference, and on the next day in the House of Commons he further explained that His Majesty's Government's representatives would return from Paris absolutely uncommitted to any specific measures, and that the Empire would be taken into Council before any policy was settled. The Government of India have further been informed by the Secretary of State in reply to their inquiry that, if as a result of the Conference any action should be contemplated, no step will be taken without full consultation with this Government and with the Governments of the Dominions."

[ *Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad ; Sir C. Sankaran Nair ; Maharaja Ranajit Sinha of Nashipur ; Mr. Low ; Mr. Dadabhoy ; Mr. Abbott.* ] [ 21ST MARCH, 1916. ]

**The Hon'ble Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad asked :—**

Dacca and Patna Universities.

8. " Is it a fact that the proposed Dacca and Patna Universities are intended to be teaching Universities, but with power to affiliate outside Colleges and Schools ? "

**The Hon'ble Sir C. Sankaran Nair replied :—**

" The Patna University will exercise jurisdiction over all Colleges situated in the Province of Bihar and Orissa. The University will also itself impart instruction in certain branches and grades. The Dacca University will be a local teaching University with constituent Colleges within a very limited area. The Universities will have no connection with High Schools."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur asked :—**

Indentured emigration to the Colonies.

9. " Will the Government be pleased to state if they have received a memorial from the Marwari Association of Calcutta regarding the abolition of the system of indentured emigration of Indians to the Colonies ? If so, what orders have been passed in the matter."

**The Hon'ble Mr. Low replied :—**

" The memorial referred to by the Hon'ble Member has been received by the Government of India and forwarded to the Secretary of State with reference to their despatch recommending the abolition of indentured emigration."

**The Hon'ble Mr. Dadabhoy asked :—**

Excise duty on beer and potable spirit manufactured in India.

10. " With reference to ' the usual practice ' alluded to in the Hon'ble Finance Member's speech on the 1st March in connection with the excise duty on locally manufactured beer and potable spirit manufactured in India known as ' foreign spirit,' will Government be pleased to state the principles on which it is based, and to lay on the table the papers relating to the imposition ? "

**The Hon'ble Mr. Low replied :—**

" With regard to the first part of the Hon'ble Member's question, I would invite his attention to the late Sir Edward Baker's speech in Council on the 26th January, 1906, to the Statement of Objects and Reasons to the Tariff Amendment Bill of 1910, and to Sir James (then Mr.) Meston's speech of the 25th February, 1910, introducing that Bill. In accordance with their policy in enhancing the rates of duty on country liquor, the Government of India have consistently advanced the rates of excise duty on foreign spirits and fermented liquors produced in India to the highest possible level, and have therefore imposed excise duties equal to the import duties on such liquors.

With regard to the second part of the question, I lay on the table copies\* of the orders issued to the Local Governments and Administrations on the subject on the 26th and 28th February and the 1st March, 1916."

**The Hon'ble Mr. Abbott asked :—**

Indian Subordinate Medical Department.

11. " (a) With reference to the reply given in Council on the 17th September, 1913, to my question on the subject, have the Government come to any decision on the question of the elimination of the term ' Subordinate ' from the official designation of the Indian Subordinate Medical Department ?

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(b) If the answer to (a) is in the negative, will the Government be pleased to state—

- (1) whether any other Military Department or Corps is officially termed 'Subordinate,' and
- (2) whether it has been brought to the notice of Government that, owing to the use of this term, Military Assistant Surgeons, when employed as Civil Surgeons or as Medical Officers of Railways, labour under grave official and social disadvantage?

(c) Is it a fact that in November, 1914, an increased rate of pay was sanctioned for Military Assistant Surgeons, but that a higher rate of pension proportionate to such increased rate has not been granted to them? If so, will Government be pleased to state their reasons for deciding to withhold such increase of pension, and do they propose to reconsider their decision?

(d) Is it a fact that commissions in the Indian Medical Service have never been granted to Military Assistant Surgeons, while such commissions have been granted to Civil Assistant Surgeons serving in a subordinate capacity under Military Assistant Surgeons?"

**His Excellency the Commander-in-Chief replied:—**

"(a) The reply is in the negative. As stated on the 8th March, 1915, in reply to a similar question by the Hon'ble Member, the matter has been referred to the Right Hon'ble the Secretary of State for India, who has deferred his decision, pending the report of the Commission on Public Services regarding medical organisation.

(b) (1) The reply is in the affirmative.

(2) The reply is in the negative. Members of the Indian Subordinate Medical Department holding charge of Civil Surgeoncies or employed as medical officers of Railways are designated Civil Surgeons (District Medical, and Sanitary Officers or Civil Surgeons in Madras), or Railway Medical Officers, and not Military Assistant Surgeons of the Indian Subordinate Medical Department.

(c) Rates of pension in the Indian Subordinate Medical Department are granted according to military rank at the time of retirement, and not with reference to the rates of pay drawn. The question of revising the rates of pension is, however, under consideration.

(d) The reply is in the affirmative so far as Military Assistant Surgeons are concerned. During the war some Civil Assistant Surgeons have been granted *temporary* commissions in the Indian Medical Service, but the Government of India have no information whether any of these have ever served in a subordinate capacity under Military Assistant Surgeons."

## BUDGET FOR 1916-17.

**The Hon'ble Sir William Meyer:—**"Sir, I rise to present the Budget of the Government of India for 1916-17. The Preliminary Estimates which I laid before the Council on the 1st March have been revised in the light of our latest information. The Financial Secretary's Explanatory Memorandum has also been checked and brought up to date.

"2. The final figures of the Revised Estimate for 1915-16 and of the Budget Estimate for 1916-17 are given in the statements which I have to-day laid before the Council. The broad results of the revenue account are brought out in the table below, in which I have also shown, in brackets, for convenience of comparison the figures now superseded, which were given in the corresponding

table appearing in paragraph 61 of my speech introducing the Financial Statement.

[In millions of pounds]

	BUDGET, 1915-16			REVISED, 1915 16.			BUDGET, 1916-17.		
	Imperial	Provincial	Total	Imperial	Provincial	Total	Imperial	Provincial	Total
Revenue .	49·650	30 750	80 400	52 594 (51 982)	30 732 (30 635)	83 326 (82 620)	55 925 (56·651)	30 603 (30 518)	86 528 (86 199)
Expenditure .	52·607	31 828	84 435	54·388 (53·968)	31 297 (31 296)	85 685 (85 264)	55 091 (54·599)	30 956 (30 913)	86 045 (85 512)
Surplus (+) or deficit (—).	—2·957	—1 078	—4 035	—1 794 (—1·986)	—565 (—638)	—2 359 (—2 644)	+ 826 (+1·052)	—353 (—365)	+ 473 (+ 687)

“ 3. The effect of our corrections in the Revised Estimate for the current year is to reduce the Imperial deficit previously announced by £192 000 and the Provincial deficit by £93,000. On the Imperial side, there are three alterations of some importance. The Railway revenue has shown a still further improvement in February, and we have raised our estimate of gross receipts by £400,000. On the other hand, we have had to allow for an increase of £175,000 in Opium expenditure, owing to the circumstance that our payments for the Malwa opium which we purchase in the spring are being effected for the most part just at the close of the financial year instead of at the opening of the following year. This is due to our beginning our purchases a little earlier than in previous years, and it seems likely that the same thing will happen next year, so that the advancement of payments on this occasion will not relieve us in respect of the corresponding expenditure in 1916-17. The third material increase is one of £200,000 under Military Services, which is due to the possibility of our having to raise our contribution adjustments in favour of the Home Government for reasons which I will explain presently. These larger corrections almost counterbalance one another: and the comparatively small net change in both the Imperial and Provincial deficits is attributable to minor improvements under Customs, Land Revenue and other heads.

“ 4. As regards the Budget of next year, the effect of the changes made is to reduce the Imperial surplus by £226,000, and the Provincial deficit by £12,000. There is no important change on the Provincial side, and I need not refer to that further. On the Imperial side, we have allowed, as in the Revised Estimate, for an improvement of £400,000 on our previous estimate of gross Railway receipts, but in this instance we have to make a proportionate increase under working expenses also, so that the improvement in net receipts is £233,000 only. The only other important change occurs under the Military estimates, which have been raised by £500,000, this being due partly to provision for further urgent military requirements which have matured since the Financial Statement was presented; and partly to allowance being made for the possibility of a higher total contribution to the Home Government. The extra provision of £300,000 included on the former account will enable us to undertake a further development of the mechanical transport service, to increase the provision of motor ambulances, and to establish in India a factory for the manufacture of acetone—an industrial development of considerable interest and importance.

“ 5. As regards the contribution, the additional provision proposed is £200,000 in the Revised, and £200,000 in the Budget. As I pointed out in paragraph 27 of my speech introducing the Financial Statement, and further emphasised in replying to a recent question in Council, the adjustment of charges between the Home Government and ourselves in respect of the many units of our expeditionary forces is a very complicated matter, and the questions which arise are not yet completely settled. Since the Financial Statement was presented, the point has been prominently raised whether, in calculating the ‘normal cost’ of a unit, allowance should be made for the fact that

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in ordinary peace-time conditions a certain number of British officers are absent on leave and draw furlough allowances instead of their full sanctioned pay and allowances ; or whether India's contribution should not be based on the assumption that, in present circumstances, even if the units in question had remained here, prudence would have required the recall of officers from leave, as in the case of certain Civil services. As I explained in this Council the other day, all such questions must be finally settled with reference to the terms and spirit of the Resolutions of the Houses of Parliament. Meanwhile, we have thought it prudent, without prejudice to the eventual decision, to include provision in our Budget and Revised Estimates, in case it should be decided that India should fairly pay the higher amount.

"6. These very recent instances of additional requirements and of the points of difficulty which arise in calculating our share of the expenditure of the expeditionary forces, emphasise the necessity of maintaining a reserve for unforeseen Military expenditure. We have, therefore, retained the reserve at its original amount, namely, £½ million, while making specific provision for the requirements and contingencies mentioned. The gross Military budget for 1916-17 will thus stand at £23·7 million, and the net budget at £22½ million, instead of £22 million provided in the Financial Statement.

"7. Turning to Ways and Means, we now expect the total cash balance in England and India at the end of the current year, exclusive of the amount held in the Home Treasury on account of the Gold Standard Reserve, to be about £18 1 million or £160,000 higher than the figure taken in the Financial Statement. This is due to the reduction already mentioned in the Imperial and Provincial deficits, and to a further improvement in the position in regard to withdrawals of post office savings bank deposits, which we are now able to take at £133,000 less than was previously estimated. There has also been a small further lapse under railway capital expenditure.

"Next year, however, there is a worseness of £298,000, principally caused by the reduction of the Imperial surplus which I have already explained. On the whole, therefore, combining the corrections of both years, we expect the closing balance on the 31st March 1917, exclusive again of the holding of the Gold Standard Reserve, to be about £17 6 million, or some £160,000 better than we anticipated in the Financial Statement.

"8. Since I presented the Financial Statement, the Secretary of State's sales of Councils have continued to be very large in view of the requirements of trade, a matter which I shall deal with more fully presently in connection with a Bill that I have to introduce, and are now estimated for the whole year at £20·1 million. Of these drawings our Treasury balances will meet £4 1 million, as compared with £3 7 million previously estimated. Our estimates of recoverable military expenditure in this and the following year have also been raised by £200,000 and £500,000, respectively.

"9. These changes *pro tanto* diminish the extent to which it will be necessary for the Secretary of State to draw on us next year, and accordingly, we now estimate the amount to be met from Treasury balances in 1916-17 at £3·9 million, or £1,200,000 less than the figure taken in the Financial Statement. But, as I said in my speech on that occasion (paragraph 104), this must for the present be regarded as a purely provisional announcement."

## THE INDIAN PAPER CURRENCY (AMENDMENT) BILL.

**The Hon'ble Sir William Meyer :—**"Sir, I beg for leave to introduce a Bill to amend temporarily the Indian Paper Currency Act, 1910. The necessity for this legislation arises from the situation in respect of the Secretary of State's Council drawings to which I referred in paragraphs 101-103 of my speech introducing the Financial Statement. The relevant

facts are that, owing to the heavy demand for Councils at home for trade purposes by reason of the excess of India's exports over her imports, the Secretary of State has had to draw upon us to an extent which we are unable to meet from our Treasury balances. As I said then, the normal course would, in these circumstances, have been for the Secretary of State to draw against the Paper Currency Reserve, paying the proceeds of his bills and telegraphic transfers into the Reserve at home in the shape of 'earmarked' gold, and thus permitting us to utilise a corresponding quantity of the rupees in the Reserve on this side. In present circumstances, however, it is very undesirable for the Secretary of State to lock up more gold than is absolutely necessary, and it is, of course still more out of the question for him to stop Council drawings and let gold come out here as a private import. Nor, again, could the difficulty be met by the purchase of silver for fresh coinage, since, in present circumstances, this would take a long time and the Secretary of State's drawings are very largely in the shape of telegraphic transfers.

"Consequently, as I explained in my speech introducing the Financial Statement, we had to fall back on the additional investment powers in respect of the Currency Reserve given to us last year by Act V of 1915. Prior to that the total extent to which we could invest assets of the Paper Currency Reserve, instead of holding them in coin or bullion, was limited to 10 crores in rupee paper and 4 crores (£2½ million) in sterling securities in England. The Act of last year—which gave temporary force, for the period of the war and for six months after, to a recommendation of the Royal Commission on Indian Finance and Currency—permitted us to increase this investment by a sum of 6 crores (£4 million), and the primary intention then was that we should employ this money, if required, for the assistance of trade through the Presidency Banks, or for meeting liabilities of our own in the event of unexpected emergency. So, while previously section 22 of the Currency Act of 1910 permitted a total investment of 14 crores (Rs. 140 million), of which 4 crores (Rs. 40 million) might be Home securities, the Act of last year raised the first figure to 20 crores (Rs. 200 million). Last January, however, in consequence of the Secretary of State's heavy drawings, we were obliged, as I explained in paragraph 103 of my speech of 1st March, to enable him as well as ourselves to take advantage of this additional investing power, and we therefore (by Ordinance) temporarily altered the second sub-section of section 22 of the Act of 1910 by permitting investment in Home securities up to 10 crores (Rs. 100 million). Thus while the total power of investment remained at 20 crores, the additional 6 crores could be used either here or in London; and, as I stated on the 1st March, the Secretary of State made use of this power to the extent of £3 million or Rs. 4½ crores, an amount which has now been temporarily increased by £500,000.

"The Ordinance also made it clear that, in the event of our investing from the Paper Currency Reserve in India, we could do so by the creation of fresh Government paper *ad hoc*.

"I said on 1st March that I would presently ask the Council to give this Ordinance the force of law for the duration of the war and six months after; but it has now become necessary, owing to the Secretary of State's continued drawings, to go a step beyond this. We do not propose to give him or ourselves larger power to invest money out of the Paper Currency Reserve in the normal sense of the term; but in present circumstances, and given the necessity of assisting the Home Government by refraining from further earmarking of gold on account of Paper Currency in London, we think it is desirable to allow the Paper Currency Reserve to hold, instead of gold, a limited quantity of first class short-term sterling securities issued by His Majesty's Government, to wit Treasury Bills, to a total amount not exceeding £4 million. Treasury Bills have by Statute a maximum currency of 12 months, and as a matter of fact the investments already made by the Secretary of State under his existing powers have been in 3 months' Bills.

"This measure will enable the Secretary of State to satisfy the demand for Council drawings without dangerous depletion of our Treasury balances,

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since he will, when necessary, apply the proceeds of his Council sales to the purchase of these short-term securities, and we on our side will obtain, for the purpose of meeting the bills, an equivalent amount of Indian currency from the Paper Currency Reserve here, the rupee stock in which is at present very strong. I think it will be admitted that the holding of these short-term sterling securities, which can be readily sold and converted into gold when required, is the best thing that can be done to meet the present circumstances, and that it does not go counter to the real spirit of the Currency Act.

"Consequently, the Bill, which I now propose to introduce, is of a two-fold character. In the first place, it re-enacts the provisions of the Ordinance of last January. Secondly, without enhancing the power of normal investment against the Paper Currency Reserve, it enables the temporary holding in that Reserve of short-term securities to take the place of gold up to a limit which, in present circumstances, we fix at £4 million.

"I mentioned in paragraph 103 of my speech of 1st March that, in applying the additional investment power given to him in January last, the Secretary of State had purchased short-term securities of the same general character as those which he will obtain under the additional powers now proposed—as a matter of fact (as I have already said) three months' Treasury Bills. Consequently, should circumstances oblige us to borrow from the Paper Currency Reserve on our side as originally contemplated, he will be able to sell these readily and so enable us to operate.

"The Bill, which was placed informally in the hands of Hon'ble Members for information yesterday, will, as I have already indicated, apply only for the period of the war and six months subsequently. It is, therefore, an emergency war measure, and as such I propose to ask that it be passed at once. Any permanent alterations in the Currency Act which may be necessitated by the Report of the Finance Commission, or by the experience of the war, will be undertaken apart from the present legislation when peace returns and normal conditions are restored.

"I move for leave to introduce the Bill."

The motion was put and agreed to.

**The Hon'ble Sir William Meyer**—"I now formally introduce the Bill and also, for the reasons I have indicated, move you, Sir, to suspend the Rules of Business to admit of the Bill being taken into consideration."

**The Hon'ble the Vice-President**—"I suspend the Rules of Business."

**The Hon'ble Sir William Meyer**—"I now move that the Bill be taken into consideration."

The motion was put and agreed to.

**The Hon'ble Sir William Meyer**—"I now move that the Bill be passed."

The motion was put and agreed to.

## THE INDIAN REGISTRATION (AMENDMENT) BILL.

**The Hon'ble Pandit Madan Mohan Malaviya**—"Sir, I beg leave to introduce a Bill further to amend the Indian Registration Act, 1908. The reason for proposing the amendment is simple. In a recent case decided by

[ *Pandit Madan Mohan Malaviya.* ] [ 21ST MARCH, 1916. ]

the Privy Council, the case of *Jambu Prasad v. Aftab Ali Khan* (I L.R. 37 All., page 49), it was held by their Lordships that, in order that a document requiring registration should be valid, it should have been presented for registration either by the person who executed it, or, if it was presented on behalf of a person in whose favour it was executed, by the agent, representative or assign of such person duly authorised by power-of-attorney executed and authenticated in the manner mentioned in section 33 of the Registration Act, though such agent may have been accompanied at the time of such presentation by the executant himself. Until that decision was passed, it was a common practice with well-to-do landlords, money-lenders, men of business and *pardanashin* ladies, in whose favour the document was to be executed, to send agents, munibs, gumashtas, servants or relations to the registration office with the executant to pay the money payable before the registering officer, and to see that the document was duly registered. In some cases, such agents might possess a power-of-attorney of the kind required by section 33 of the Indian Registration Act, 1908, but in the majority of instances where the creditor, trader or lady concerned was not a landed proprietor, the most suitable man in the service of the person who was going to advance the money or in the family circle available at the time, was sent to pay the money because he was the most trusted man in the family or in the service of the person. No harm accrued, and I submit no harm could accrue to the person who borrowed the money. He was present at the registration and received payment. The agent who presented the document was the agent of the man who advanced the money, and whose interest it was to see that the document was duly registered, he was sent merely to pay the money down to the executant before the registering officer and to get the document registered. But, Sir, section 32 of the Act required 'that such agent should be a person, representative or assign, duly authorised by power-of-attorney executed and authenticated in manner mentioned in section 33 of the Registration Act.' That section laid down that for the purposes of section 32, the powers-of-attorney next hereinafter mentioned shall alone be recognised, (that is to say)—

'if the principal at the time of executing the power-of-attorney resides in any part of British India in which this Act is for the time being in force, a power-of-attorney executed before and authenticated by the registrar or sub-registrar within whose district or sub-district the principal resides.'

"The language of the section being what it is, their Lordships of the Privy Council decided, in the case to which I have referred, that where the person who presented a document on behalf of the man who advanced the money did not possess such a power-of-attorney as has been described above, the document had not been duly presented, and, the document not having been presented according to law, their Lordships further held that the registering officer did not have any authority to register the document, and that the registration effected by him was ineffective. In that view, the claims of mortgagees to recover amounts which they had secured by mortgages of property, which had been registered on presentation by the agent of the creditor who did not hold a power-of-attorney as required by section 33 of the Registration Act, were defeated. The result was that persons who had actually advanced money, and who had taken all the care which they were required to take under the law, except in one particular, which by the practice of many years was regarded as an unimportant matter of form, had failed to obtain the justice to which they were entitled.

"It is to remedy injustice in such cases that I seek the leave of the Council to amend the Registration Act. The object of the amendment that is suggested is to provide that the mere fact that the physical act of handing over a document to the registrar for registration was performed by a relative or agent not holding a proper power of attorney, ought not, by itself, to stand in the way of the document being accepted as one validly registered, if the document was otherwise duly registered. In the circumstances of the case, the need for amending the Registration Act is obvious. The question that arises is, what is

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the best way of doing it ? What I have suggested is, that it should be provided by an additional section in the Act that—

‘Notwithstanding anything contained in this Act, the registration of a document registered before or after the commencement of this Act, shall not be deemed to be invalid by reason only of the fact that the document was presented for registration by an agent not duly authorized by a power-of-attorney executed and attested or authenticated under the provisions of any enactment in force.’

“Such an amendment would not affect any other provision of the Registration Act relating to registration, and if this was accepted, the result would be that where a document had been presented by an agent of the person who advanced the money, his claim would not be defeated.

“The object of the second clause that I have suggested is to remedy injustice done by reason of this decision in cases decided before the amendment I propose is effected. For this I propose that ‘where any claim has wholly or in part been dismissed, rejected or withdrawn after the 25th day of November, 1914,’—the date on which the decision of their Lordships was pronounced,—‘and before the commencement of the Indian Registration (Amendment) Act, 1914, in a Court of first instance or of revision or appeal, by reason only of the fact that a document was presented for registration under any enactment in force by an agent not duly authorized by power-of-attorney under the provisions of such enactment, the case may, if the dismissal, rejection or withdrawal has had the effect of invalidating, in whole or in part, the said document as between persons claiming or liable thereunder, be restored on review in the manner provided by the Code of Civil Procedure, 1908, for review of judgments, on application in writing made within six months from the commencement of the said Act.’

“Support for this provision to give effect to the measure in a retrospective way in order to save injustice, is to be found in the action of this very Council when, in order to nullify the effect of another decision of their Lordships’ relating to mortgages, this Council passed an Act to amend the Indian Limitation Act of 1908, and gave retrospective effect to the legislation.

“Now, Sir, I am sure that it will be conceded on all sides that it is hard that a man who has honestly advanced a loan should not be able to obtain the help of the Court in recovering it, merely because of a technical omission, that technical omission consisting in the fact not that the person who presented the document on his behalf was not authorized by him to do so, but merely that he did not at the same time hold a power-of-attorney from him executed according to the provisions of section 33 of the Registration Act.

“There are three ways in which the remedy can be applied. One is that which I have suggested. A second one is by way of an amendment of section 33 of the Act. That section runs as follows:—‘Except in the cases mentioned in section 31 and section 89, every document to be registered under this Act, whether such registration be compulsory or optional, shall be presented at the proper registration office—

by some person executing or claiming under the same, or in the case of copy of a decree or order, claiming under the decree or order, or

by the representative or assign of such person, or

by the agent of such person, representative or assign, duly authorized by power-of-attorney executed and authenticated in manner hereinafter mentioned.’

It has been suggested that the section should be amended by the omission of the words, ‘duly authorized by power-of-attorney executed and authenticated in manner hereinafter mentioned.’

“The third course, which has been suggested, is that the legislature may provide that documents which have been improperly admitted to registration in disregard of the provisions of section 33, may be registered again on production of a proper power-of-attorney or on presentation by the parties themselves, within a prescribed limit of time, and that a suit may be brought on the basis of the document so registered within a specified time.

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" I may say at once that though I have suggested the form of amendment which is embodied in the Bill before the Council, I am not particular that that very form should be accepted by the Council. My object is to afford relief to persons who honestly advanced the money and to whom money is honestly due, and to enable them to recover the amount which is so due.

" If, after full consideration, after consulting those who ought to be consulted, a form of amendment different from the one I have suggested is considered to be better, I shall have no objection to accept that form. But it seems to me that it is essential that some remedy should be provided to prevent the injustice which has unquestionably been done, and will, I fear, be done in many cases if there is no amendment of the law. For these reasons, Sir, I beg to move that this Bill, which has been published in the Gazette, may be referred to a Select Committee, consisting of the Hon'ble Sir Reginald Craddock, the Hon'ble Mr. G. R. Lowndes, the Hon'ble Mr. H. Wheeler, the Hon'ble Mr. Achariar, the Hon'ble Mr. Qumrul Huda, the Hon'ble Mr. Setalvad, the Hon'ble Mr. A. P. Muddiman, the Hon'ble Sir Edward Maclagan and myself

" It so happens that the Hon'ble Mr. Lowndes, now our Law Member, argued the case before the Privy Council when this matter was up there, and pressed for the view which their Lordships eventually adopted. I concede that there is much to be said in favour of that view. But I have no doubt that he will agree that, in view of the practice which had been followed here for many years, injustice has resulted from the decision, and I am sure he will help us with his wide knowledge and experience to provide a remedy for it. I hope that it will be recognized on all sides that the state in which the creditors have been left by that decision is unsatisfactory. I hope it will be recognized that some remedy ought to be applied, and in order that the most appropriate should be decided upon, it is necessary that the matter should be considered in Select Committee. I therefore move, Sir, that the Bill be referred to a Select Committee consisting of the gentlemen whom I have named. "

**The Hon'ble Mr. Lowndes :—**" Sir, it is usual, I understand, to discuss at this stage any objections there may be to the principles of the Bill. But I suggest that it may meet the convenience of the Council if we depart somewhat from that practice on this occasion. The opinions that have been received by the Government of India with regard to this Bill are mainly unfavourable, and our own view is, that it is at all events possible that more harm than good would be done by the adoption of the amendment proposed

" There can, I think, be no doubt that the sections of the Registration Act to which my Hon'ble friend's Bill are directed, form part of the outwork of the defences against fraud which have been set up by this Act. The amendments proposed deal only with the stage of presentation of a document for registration, and my Hon'ble friend has suggested apparently that anything connected merely with the presentation of the document is a mere formality,—as he called it a ' technical question '."

**The Hon'ble Pandit Madan Mohan Malaviya :—**" I meant this particular formality."

**The Hon'ble Mr. Lowndes :—**" This particular formality is the formality of presentation. The law says at present that, for the protection of people against fraud, a document must be only presented for registration to the registering officer by one of the parties concerned, or by a person authorized in a particular way to do it. If that is, as my Hon'ble friend has suggested, merely a technical question, merely a question of procedure, no amendment of the Act would be required, because the Act already contains in itself a section which would cover such a question. Section 87 says in effect that no registration of a document would be invalid by reason of any informality of procedure. But the essence of the decision in the Privy Council to which my Hon'ble friend has referred, is that this is not a question of procedure, but is an intimate provision of the Act, as their Lordships say, laid down as part of the defences against fraud. I would also point out that,

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ever since the law of registration has obtained in India, exactly this provision has always found a place in the Act, and until this very late period in the history of the Act no objection has ever been taken to it. It has never until recently been found that it works hardship or difficulty.

"In the next place, it is to be noted that the injustice which my Hon'ble friend seeks to remedy is one which is not due in any way to inherent difficulties of the procedure under the Act, but is, if I may say so, due entirely to the carelessness with which the provisions of the Act are observed. There is, however, no doubt that the stupidity of Sub-registrars in some cases has induced possibly ignorant people to rely upon them to see that the procedure that should be adopted is right, and the stupidity of Sub-registrars has frequently led to their accepting, in the face of the plain provisions of the Act, documents presented by people not properly authorized under the Act, and which they therefore ought not to have accepted at all. It is, I think, recognized that these cases have occurred, and that to this extent, so far as ignorant people have relied upon the assistance of Sub-registrars, they find themselves now in a very difficult position. It may be that it is desirable to give relief in such cases, if possible, where the parties concerned are entirely innocent and the mistake can be traced directly to the mistake of the official. I have suggested to my Hon'ble friend that the relief which he desires might possibly be obtained without disturbing what I would call the foundations of the law of registration, by some provision which would allow the parties concerned in cases of the nature referred to, to present the document anew for registration, although the time limited by the Act for so doing had already expired, the new time being limited to within such a period as may be considered desirable from the time when the mistake which was made has first been found out. I understand that my Hon'ble friend is willing to accept this suggestion, and we think that it would probably be easier for either this suggestion for relief or for any other possible one that may be brought forward to be discussed in Select Committee rather than in this Council, and if the Council agrees, we therefore suggest that this Bill may be allowed to go to Select Committee on this understanding."

**The Hon'ble Rai Sitanath Ray Bahadur:**—"Sir, I also beg to support the proposal for the amendment of the Registration Act. I do not see how the debtor can be prejudiced by the document being presented for registration by a party who may not have been properly authorized under the Registration Act. It does not prejudice anybody. Therefore the amendment proposed is, in my opinion, very reasonable. I, therefore, beg to support the amendment proposed by my friend."

**The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, I thank my Hon'ble friend the Law Member for agreeing that this Bill should go to Select Committee. As I said in my speech in introducing the Bill, my object is that there should be some relief, sufficient and adequate relief, given to those who have suffered by reason either of failure on their part to comply with the requirements of the law fully, or (which is more important) on the part of the Registrar to perform the duty which the law laid upon him. I am quite content that the matter should be discussed in the Select Committee, and I have no doubt that some form of relief will be decided upon which will help the cause of justice."

The motion was put and agreed to.

## THE TRANSFER OF PROPERTY (AMENDMENT) BILL.

**The Hon'ble Pandit Madan Mohan Malaviya:**—"I beg leave, Sir, to introduce a Bill to amend the Transfer of Property Act, 182. My amendment relates to the meaning which is to be attached to the word

'attested' in dealing with documents which require to be attested under the Act. For a long time the word 'attested,' which is used in section 59 of the Act, was interpreted in more than one Province as including not merely the witnessing of a document by the person in whose presence it was executed, but also the witnessing of it by a person to whom an acknowledgment was made by the person executing it that he had executed it. That was the view taken by the Bombay High Court; that was the view which was taken by the Allahabad High Court. In Calcutta and Madras, however, a different view had been taken. There it had been held that 'attestation' meant that the document had been witnessed by a person in whose presence the document had been actually executed. In this state of affairs, in the case of *Shama Patter vs. Abdul Kadir* (reported in I.L.R. 35, Mad., p. 607) which went up to the Privy Council, their Lordships there held that the word 'attested' used in section 59 of Act IV of 1882 meant signed by a witness who saw the actual execution of the deed, and that the attestation of a mortgage deed on a mere acknowledgment of his signature by the executant was not a compliance with the law. As I have said, until that decision was passed, there was a divergence of opinion among the Indian High Courts as to the meaning to be attached to the word 'attested.' The Calcutta and the Madras High Courts took the view which their Lordships of the Privy Council have now taken. The Bombay High Court had, at one time, held that the word 'attested' included attestation upon acknowledgment, but in a subsequent case, that Court also arrived at the same conclusion as the Calcutta and Madras High Courts. The Allahabad High Court had always held that the word 'attest' would include attestation upon a personal acknowledgment by the executant of his signature. This being so, the effect of the decision of their Lordships of the Privy Council in a large part of the country is that money-lenders seeking redress in Courts of law for the recovery of monies advanced on mortgage securities, often find themselves at the mercy of attesting witnesses, who, if they should be dishonestly inclined, are able to utilise the occasion to extract payment from one party or the other. This will particularly be the case where most of the attesting witnesses are dead, and only one or two are left alive. It is apprehended that many claims have already been dismissed on the authority of the decision mentioned above, and while redress has thus been denied to those rightfully entitled to recover their debts, dishonest debtors have found a new method available to them of avoiding payment, by trying to tamper with the evidence. In the United Provinces and the Punjab, in the case of mortgage deeds executed by *Pardanashin* ladies, who, according to the custom of the country, do not appear except before very near relations, the hardship caused by the restricted interpretation of the word 'attested' will be still greater.

" It is in this state of things that I have been pressed to invite the attention of the legislature to the need for amendment of the existing Act, to define what 'attest' should be held to mean. Naturally, Sir, in considering the question, reference has been made both in this country and in the Privy Council to cases decided under the English law, dealing with the question of attestation. Their Lordships have followed modern decisions in England in which it has been held that the word 'attest' means that the person who witnesses a document should have seen the person executing it actually sign it. In earlier cases, however, for a long time past, it was held in England that attestation would include not merely the witnessing of a document which had been executed in the presence of the witness, but also the witnessing of a document the execution of which had been acknowledged to him by the executant. In *Grayson versus Atkinson* (2 Ves. Sen. 455, Sc. 28 English Reports, 291 at pages 292-293) decided in 1752, Lord Hardwicke said :—

' It is insisted that the word *attested* superadded to *subscribed* imports they shall be witnesses to the very act and *factum* of signing, and that the testator's acknowledging that act to have been done by him, and that it is in his handwriting, is not sufficient to enable them to attest; that is, it must be an attestation of the thing itself, not of the acknowledgment. To be sure, it must be an attestation of the thing in some sense; but the question upon this clause, as abstracted from the subsequent, is, if they attest upon the acknowledgment of the testator that that is his handwriting, whether that is not an attestation of the act, and whether not to be construed as agreeable to the rules of law and evidence as all other

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attestation and signing might be proved ? At the time of making that Act of Parliament, and ever since, if a bond or deed is executed by the person who signs it : afterwards the witnesses are called in ; and before these witnesses he acknowledges that to be his hand ; that is always considered as an evidence of signing by the person executing, and is an attestation of it by them.'

" A similar view was taken in *Ellis versus Smith* decided in 1754. These cases were followed in *White versus Trustees of the British Museum* (6 Bing, 319, Sc. 130 English Reports, 1303) decided in 1829. In that case Tindal, C. J. said—

' It has been held in so many cases that it must now be taken to be settled law, that it is unnecessary for the testator actually to sign the will in the presence of the three witnesses who subscribe the same ; but that any acknowledgment before the witnesses that it is his signature, or any declaration before them that it is his will, is subscription of the witnesses complete. The case of *Ellis versus Smith*, which was decided by Lord Chancellor Hardwicke assisted by the Master of the Rolls, Sir J. Strange, Lord Chief Justice Willis, and Lord Chief Baron Parker, all persons of high and eminent authority, is express to the latter point.'

" Now, Sir, as I have already stated, in subsequent cases the view taken in English law has been that 'attested' meant that the witness should have been present as a witness and should have seen the executant sign the document. These cases are of 1843, 1850, and 1855. The question is in what sense the Indian legislature used the word 'attested' in its enactments. The first Act to which I will refer is Act X of 1865. In section 50 of the Indian Succession Act the word 'attested' has been used, and that section says that—

' The will shall be attested by two or more witnesses, each of whom must have seen the testator sign or affix his mark to the will..... or have received from the testator a personal acknowledgment of his signature or mark.'

" I submit, Sir, that it is important to note the date of this enactment, which is 1865, while the last English case relied on had been decided several years before, about ten years before. And yet after that decision had been passed, the legislature in India, in laying down the meaning which should to the attach word 'attest' expressly said—

' The will shall be attested by two or more witnesses, each of whom must have seen the testator sign or affix his mark to the will ....., or have received from the testator a personal acknowledgment of his signature or mark.'

" According to the more recent English decisions this meaning could not be attached to the word 'attest,' because it went clear against those decisions. But if in spite of them, the legislature here thought it fit in enacting that the will must be attested by witnesses, to explain that these witnesses might be either those who have seen the testator sign or affix his mark to the will, or those who have received from the testator a personal acknowledgment of his signature or mark, I submit, Sir, that the Indian legislature clearly indicated that it attached the larger meaning which was attached to the word 'attested' in England according to the earlier decisions, i.e., the meaning which would include not merely the signing of the document by a witness who had seen it, but also the signing of the document by a witness to whom execution of that document had been acknowledged. I therefore venture to think that it would be more correct, more in the fitness of things, in construing an Act of the Indian legislature, to take that as a guide in deciding what meaning should attach to the word 'attest'

" It was subsequent to this that the word 'attest' was used in the Transfer of Property Act, IV of 1882. And therefore I submit that the view taken by the Allahabad High Court, that it was reasonable to suppose that the interpretation put upon the word 'attest' in section 50 of the Indian Succession Act should, in the absence of good, technical or substantial reasons to the contrary, be taken to be the meaning in which the word is used in section 59 of the Transfer of Property Act, is the correct view.

" Now, Sir, that was in 1882. But we have other indications to show that the Indian legislatures have attached the larger meaning to the word 'attest,' and one such indication is to be found in an Act passed so recently as 1910, I

mean the Oudh Estates Act III of 1910. That Act contains a definition of the word 'attest' as follows :—

'Attest with its grammatical variations, when used with reference to any instrument other than a will, means to sign such instrument as a witness, in the presence of the executant after having seen the executant sign the same or after having received from the executant a personal acknowledgment of his signature to the same'.

"No doubt that Bill was passed by a local legislature, but no enactment is put on the Statute Book of any Province unless it has received the sanction of the Government of India, and so we take it that the Government of India, so recently as 1910, gave its full authority to an interpretation incorporated in section 2(2) of the Oudh Estates Act III of 1910, wherein the larger and older meaning is attached to the word 'attest'. I submit, Sir, that the Government of India did so because they probably had in mind the fact that in earlier years the word 'attest' had been used in the larger sense, and had been interpreted in that sense by various Courts in this country; and they probably also had in mind the circumstances peculiar to this country. They knew, for instance, that the provisions of section 59 would govern all documents whether they were executed by men or women, and so documents executed by *pardanashin* ladies; and they knew that in the case of *pardanashin* ladies it was impossible, owing to the customs which prevail in this country, that they should come and sign a document in the presence of other persons. This difficulty was probably present to their minds, that in the case of those ladies it would be only near relations before whom a document could be attested by them, and that it was not safe for the creditor to rely on such persons as witnesses.

"In view of all these considerations, it is not improbable that the legislature attached the larger meaning to the word 'attest'; and while it was no doubt open to their Lordships of the Privy Council to follow the more recent English decisions, I venture to say that they should have—I say it with great respect, but I think it my duty to say so—that they should have given more weight to the special circumstances of this country and to the fact that the enactments passed by the Indian Legislature are intended to govern the dealings of persons residing in India and for the special circumstances of India. I hope what I have submitted is sufficient to show that it cannot be affirmed without doubt that in using the word 'attest' in section 59 of the Transfer of Property Act the Government of India—the Legislature of India—really intended; it cannot, I submit, be said without question, without doubt—that the Legislature in this country intended to attach the stricter meaning to the word 'attest' which has been attached to it in the later decisions in England, when we have, in section 50 of the Indian Succession Act, a clear indication to the contrary.

"Now, Sir, there are two courses open to us in order to remedy what injustice has been done. So far as my Provinces are concerned, ever since the time that the Transfer of Property Act was passed until the decision in the case of *Shama Patter v Abdul Kadir* in 1912, the public at large believed, and the Courts accepted and supported the belief, that attestation included signing by a witness to whom the execution of a document had been acknowledged. In that state of things came this decision. It came like a bolt from the blue, and it has been the source of much injustice. In England, Sir, there is much greater hesitation shown in unsettling decisions which have long been uniform even though there may be a doubt entertained as to the correctness of those decisions on strictly technical grounds. Here in my Provinces the effect of this decision of their Lordships has been that the practice of 33 years has been put aside and a new view has been enforced upon the public to their great detriment. In this state of things I am driven to seek the help of the legislature. I ask that the legislature should now clearly say what meaning it intended to attach to the word 'attest' as it is used in section 59 of Act IV of 1882. Their Lordships may be perfectly correct; I have no doubt they are correct—it would be impertinence on my part to suggest they are not correct in interpreting the word 'attest,' so far as England and English law are concerned, in the way they do; but I submit with great respect that it is not so clear that they are equally

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correct in saying that the Indian legislature used the word in the stricter and narrower sense. I therefore suggest that in conformity with the practice which has prevailed in the United Provinces, and which prevailed for a long time also in Bombay, the legislature should now declare what meaning it intends to be attached to the word 'attested' as used in the Transfer of Property Act by an amendment of the kind I have suggested. What I have suggested, Sir, is that after the definition of the word 'instrument' in section 3 of the Transfer of Property Act, the following definition should be inserted :—

“ ‘Attest’ with its grammatical variations, when used with reference to any instrument, means to sign such instrument as a witness in the presence of the executant thereof after having seen the executant sign the same, or after having received from the executant a personal acknowledgment of his signature to the same.”

“This is in conformity with section 50 of Act X of 1865 and with section 2(2) of the United Provinces Act III of 1910, from which I have borrowed the wording largely.

“It is open to the legislature to say that it will not do anything of the kind that I suggest. It is open to the legislature to say that the decision of their Lordships is sufficiently clear and that it should be binding upon the people of this country. But then it will leave an obvious wrong unremedied. And I submit that in all such matters the people of the country are entitled to have a wrong of the nature in question remedied ; they are entitled to ask the legislature to define the meaning of an important word used by them, when the highest Courts have differed in interpreting them, in order that the ends of justice should be promoted and not defeated. There is no danger, Sir, I submit, that if the interpretation, I contend for, is accepted there will be any harm done to any party. On the contrary, it is more likely, as has been pointed out, that the danger of witnesses perjuring themselves will be minimized. And in that view, and for these reasons, I ask for leave to introduce this Bill, and I submit that it should be referred to a Select Committee, consisting of the Hon'ble Sir Reginald Cradock, the Hon'ble Mr. Lowndes, the Hon'ble Mr. Wheeler, the Hon'ble Mr. Achariar, the Hon'ble Mr. Qunrul Huda, the Hon'ble Mr. Setalvad, the Hon'ble Mr. A. P. Muddiman, the Hon'ble Sir Edward MacLagan and myself.

“There is only one thing more which I have to add. I have suggested that retrospective effect should be given to this measure, and as I apprehended, opinion is very much divided on this point. I know that opinion is divided also on the main provisions of the Bill ; but I submit, Sir, that the reason for my suggestion is to be found in the action which this very legislature took in the case of mortgages in 1908 by enacting section 31 of the Indian Limitation Act of 1908. If this recommendation is not accepted, there is no other remedy open to the people who have suffered injustice by reason of the decision of their Lordships of the Privy Council. It has been said that *bona fide* transfers might have been effected in the interval that has passed, and that they should be protected. That is a matter certainly worth considering, and when the Bill goes into Select Committee, all these and other aspects of the question will, I have no doubt, be considered. But my main object in introducing the Bill is that there should be some relief provided in order to save people from the injustice which has been wrought upon them by a too strict interpretation of the law, which I venture again to say, with all the respect that is due to their Lordships of the Privy Council, is clearly not in consonance with the intentions of the legislature, as is indicated by the other enactments to which I have drawn attention. I beg to move, Sir, that the Bill be referred to a Select Committee.”

**The Hon'ble Mr. Madhu Sudan Das :—**“Sir, whether a particular decision of the Privy Council works hardship in this country or not is altogether a different question. But the Hon'ble Pandit Malaviya in introducing this Bill has argued that when the legislature used the word 'attest' in the Transfer of Property Act, it had before it the larger meaning

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which it has in section 50 of the Indian Succession Act. I do not think that section 50 of the Indian Succession Act puts a larger meaning upon the word 'attest,' because that very section says that either a will must be attested by a person or the signature or mark of the executant must be admitted before a witness. That very fact that there is an additional provision to the effect that an acknowledgment of one's signature might be sufficient shows that it has not got the larger meaning. There can be no question that the legislature when enacting that provision had before it no larger meaning than the word 'attest' naturally means; but in the case of will the legislature found it necessary to make an additional provision considering the condition of the country, knowing that there are many ignorant men here who do not know to write, and consequently put their marks; I say taking all these things into consideration the legislature thought it prudent to have a provision in addition to the ordinary attestation. Now, with this additional provision before it the legislature passed the Transfer of Property Act, using the same word that had been used in the Succession Act. The necessary legal inference is, according to known laws of legal interpretation, that the word was used by the legislature in the subsequent Act in the same sense in which it was used in the previous Act. Consequently, the learned Mover's argument that the legislature in passing this 'Transfer of Property Act' had before it the larger meaning of the word 'attest' does not hold good. Then, Sir, it is very true perhaps that, considering the difference in the conditions of life between England and India, what is good law in England, suited to the conditions of that country, may not be suitable in India; it is for the legislature to decide whether there should be any variation in provisions on similar subjects. But the Privy Council could not do otherwise than interpret the word 'attest' as it stood in the Indian Statute Book then. Sir, if this Council considers that the word 'attest' with the meaning that has been attached to it by this legislature is not suited and requires a particular definition, then it cannot lay down a definition of the word without at the same time incorporating that definition in the Succession Act. It is one thing to define a word and it is another thing to provide an additional provision. If a definition of the word 'attest' is made, then the same definition would apply to the Succession Act or any other Act. So perhaps it would be a better thing, if the Council is of opinion that a change, in the circumstances, is necessary, to add an additional provision as there is in the Succession Act. But I think there is an objection to this, because an amendment of the Succession Act is not before this Council. It is only an amendment of the Transfer of Property Act, and we cannot define a word in amending an Act in a way which might affect the significance of that very word in another Act. Then, Sir, this attempt to give retrospective effect to a provision like this places the Legislative Council in a very novel position. I do not remember the circumstances under which a particular amendment was made to which reference has been made by the Hon'ble Mover of this Bill; but if we think it proper to bring before the Council and seek at the hands of this Council remedy against decisions of the highest Judicial tribunal in the British Government, this would actually be using the Council as a Court of review of the judgment of the Privy Council or any other Court. 'Retrospective effect' means practically setting aside their judgments; and there would be a good deal of confusion if this principle is introduced. Where would be the limit of the review? Suppose, for instance, the Privy Council and the High Courts have passed a decision interpreting a certain clause which is not suited to the conditions of the country or has worked hardship in a particular case, and some person in this Council takes up this matter and brings in a Bill before this Council say five years or ten years after, saying that there has been a hardship and that an amendment should be made. Should the Council undertake this? Of course it is quite open to the legislature, when it finds that a particular section has been working hardship in the country from reports of cases, to deal with it in the periodical amending of enactments. But if a Bill is introduced with reference to a particular case, then I submit with all my sympathy for the particular case and for the parties concerned, in the case, that it is introducing a very dangerous principle into the Legislative Council.

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“ I daresay that if it is thought proper that in a particular case hardship has been done the legislature will do what is proper. But as I said I think this is a very novel principle ; a Bill is introduced, and after it is introduced it is said ‘ do anything you like, here is the Bill, you may expunge the Bill ’ and enact something else. If you expunge the provisions of the Bill where is the Bill except its headline ? Then where is the Bill before the Council to go to a Select Committee ? ”

**The Hon'ble Mr. Lowndes :—**“ Sir, it seems to me that this Bill stands on very much the same footing as the last, and should be treated in the same manner. The Hon'ble Mover has treated us to a foretaste of the nature of the discussion that is appropriate to a Bill of this sort. Probably, it will suit the convenience of the majority of this Council that this discussion should take place in the more informal atmosphere of a Committee-room than in this Council Chamber. There may be various arguments by which the Bill can be supported, but I doubt if we can enumerate among them the fact that the Hon'ble Member disapproves of the decision of the Privy Council to which he has referred. There may be good reasons for altering the law, but certainly there appear to be no reasons for sitting in appeal upon the Judicial Committee. The replies which the Government of India have received to the circulation of this Bill seem to make it quite clear that the main proposals of it, both as to the definition of the word ‘ attest ’ and as to the retrospective effect which it is proposed to give to the emendation of the law, have met with no response, or, I might put it better, have met with an unfavourable response.

“ It seems to me that it is expedient that I should explain to the Council very shortly, what are the real objections to the Bill because, if my Hon'ble friend will forgive me for saying so, he has not touched upon them. The position is that at present a mortgage is only valid if it is signed by the mortgagor actually in the presence of two attesting witnesses. Now it unfortunately happens that forged documents are got up from time to time and produced sometimes some years after the date when the original is alleged to have been executed. If you have this safeguard that three people have got to be present at the same time and in the same place and must sign the document in the presence of one another, which is the law as declared by the Privy Council, it is obvious that there is much greater difficulty put in the way of the forger and of those who seek to support the forgery than if the law says that it may be signed by the mortgagor in his own house. It may be signed by one attesting witness to-day in the attesting witness's house merely on the acknowledgment of the mortgagor and be signed by the second attesting witness in his house the day after merely on the acknowledgment of the mortgagor. It is a common thing in this country to have half a dozen witnesses to such a deed, and if they can all attest at different times and different places, their signatures are no real guarantee of the genuineness of the deed. There would be no difficulty, for instance, in one witness deposing in the case of a forgery that he was sitting in his verandah at 10 o'clock on Friday and the second witness that he was in his verandah at 10 o'clock on the Saturday, and that on each occasion the mortgagor came up and said ‘ I have signed this deed will you put your signature ’. I think it will be clear therefore to the Council that there are very grave objections to accepting the provisions which this Bill seeks to enact, and this has been very clearly recognized by the judgment of the Privy Council itself in the case which has been already referred to, and which is the foundation apparently of this Bill. That what I am saying is of great importance will be seen from the following passage in the judgment ; their Lordships say :—

‘ Section 59 of the Transfer of Property Act in requiring that in a certain class of cases a mortgage can be effected only by a registered instrument signed by the mortgagor and attested by at least two witnesses could only mean that the witnesses were to attest the fact of execution. And any other construction in their Lordships' opinion would remove the safeguards which the law clearly intended to impose against the perpetration of frauds.’

434 TRANSFER OF PROPERTY (AMENDMENT) BILL ; RESOLUTION  
RE THE GROWTH AND DEVELOPMENT OF INDUSTRIES  
IN INDIA.

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I only put forward this as showing the other side of the picture to that which has been brought before the Council in the arguments of my learned friend. At the same time, it seems to me that we have to recognise the fact that the High Court in the United Provinces has, for many years past, adopted a different interpretation to the word 'attest', and that it has laid down that, according to the law in the Transfer of Property Act, it is sufficient for the attesting witnesses to attest not what the Privy Council call the execution of the document, but merely an acknowledgment of the mortgagor on a subsequent occasion. It is not unreasonable to suppose that innocent parties may have been misled for some years past by the decision of the United Provinces Courts, and seeing that the mistake that has been made is a mistake of the Court, it is not unreasonable for Government to do anything that can fairly be done to remove the injustice which may result. Whether this can best be provided for by anything in the nature of a Bill applicable to the whole of India, or whether the simpler course would not be for the United Provinces themselves to pass a validating Act applicable to the particular cases in question in that province, is for consideration ; but, under the circumstances, we think it would be better that the question should be discussed in Committee and if the Council agrees, this Bill can go to a Special Committee in order that the various aspects of the case can be discussed there. If this course commends itself to the Council, I would ask that they should agree to the present motion, on the understanding that the course I have indicated will be followed."

The motion was put and agreed to.

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**RESOLUTION RE THE GROWTH AND DEVELOPMENT  
OF INDUSTRIES IN INDIA.**

**The Hon'ble Sir Ibrahim Rahimtoola :—**" Sir, I beg to move—

'That this Council recommends the Governor General in Council to be pleased to appoint a Committee of Officials and Non-Officials to consider and report what measures should be adopted for the growth and development of Industries in India.'

"Two years ago when I first tried to bring forward a Resolution on the subject of industrial development in India, I had intended remarking that it was merely a commonplace to say that a wealthy or even a well-to-do India was of far greater advantage to England than a poor India. How well this view has been borne out by subsequent events must now be apparent to all. The experience of the war has clearly shewn that the economic well-being of the component parts of the British Empire is a tower of strength to Great Britain, in every crisis which may arise in the history of that country. No one can deny that India has contributed her best towards carrying the world war to a successful conclusion, but what she has done is nothing compared to what she would have willingly done, had her economic resources been helped to be developed in the past. In this connection, the people of India gratefully acknowledge the warm tribute which His Excellency and the Hon'ble Sir William Meyer have paid, both in this Council and outside, to the burden which India has borne so willingly in this world-conflict.

"It cannot be gainsaid by anyone acquainted with Indian conditions that the greatest need of the country has been its economic well-being, and many able minds have been engaged in finding effective remedies for the solution of the problem. British rule in India, with all its beneficent measures for the welfare and well-being of its people, has in a way contributed towards accentuating the economic backwardness of this country. Steady progress has been made in various directions. India, through the use of steam power, has been brought nearer to England, and may, by the help of science, be

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expected to be brought much nearer still. An extensive programme of railway construction has been carried out. Education and sanitation have been fostered. In consequence of the cumulative effects of all such factors, our wants have largely multiplied, and the cost of living has steadily risen. What were once regarded as luxuries have now become necessities. It can be easily imagined what economic effects must be produced upon a poor country in such close contact and association with one of the wealthiest countries in the world.

"In drawing attention to these points, I do not wish to be misunderstood. It is not my intention to create any impression that I desire in any way to deprecate these measures. I fully recognize that they have contributed towards our enlightenment and improvement, better conditions of public health, facilities of travelling and transit, and our comforts and convenience. The country wishes to press for more educational institutions, more extended application of sanitary science and more railways. My object is to merely invite the attention of this Council to the fact that, with the progress and advance which India has undoubtedly made in various directions under British rule, our economic backwardness has come more prominently to the fore, and that the country demands unanimously and insistently for suitable and adequate measures to be adopted for substantial advance in the direction of our economic well-being. It is with this object that I have brought forward my Resolution before this Council, in the firm conviction that Government will be pleased to confer a lasting obligation on the people of this country by helping in the growth and development of industries in India as one of the principal factors to ensure our economic advancement.

"I recognize that it will be within the discretion of the Government of India to determine what specific points should be referred for the consideration of the Committee which I am asking them to appoint. I should like, however, to suggest that the following may suitably form some of these points :—

- (1) Whether representation should be made to the Home authorities through the Secretary of State for India for securing to the Government of India full fiscal autonomy, specially in reference to Import, Export and Excise duties ;
- (2) whether (a) protection (b) granting of bounties and subsidies (c) guaranteeing certain rates of interest on capital invested in approved industries, should be availed of in such cases and for such time as may be deemed necessary ;
- (3) whether a special expert staff should be maintained to carry on research work and institute detailed inquiries into the possibility of successfully initiating and establishing new industries in India and to supply expert advice for the development of existing industries ;
- (4) what means should be employed for securing a sufficient supply of skilled labour ;
- (5) what special railway facilities in the matter of fares and otherwise are needed ; and
- (6) whether any special measures are necessary to attract capital and secure banking facilities ?

The list I have given is in no way comprehensive. I have not included in it such points as the foundation of commercial museums to bring the producer and the consumer together, or the establishment of Provincial Departments of Commerce and Industry to render ready help and encouragement. I have also not included points in regard to the development of our agricultural industry. It must not be understood that I am in any way indifferent to an industry which is not only the mainstay of the country, but upon the development of which successful industrial enterprise depends. I have not included agricultural development in the list, because the Government of

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India have a free hand, and are keenly alive to the great importance of the subject. They have provided a special department with a Member of Council in charge to look after it, and from the able and business-like speech which my Hon'ble friend Mr. Hill made in introducing the Budget heads of revenue and agriculture, he gave the Council interesting and valuable information as regards the measures which are being adopted to promote this industry. I feel confident that, during his term of office, he will do everything in his power to further the interests of agriculture, and thereby contribute towards the economic well-being of India. India wishes to depend upon her own soil and her own factories to supply her wants, and to build up her economic strength. In this connection, I should like to draw the attention of this Council to a Resolution which was to be placed before the Associated Chambers of Commerce in London. It runs as follows :—

‘ The strength of the nation lies in our power to produce our requirements from our own soil and our own factories ’

“ Indian public opinion demands that India's national strength should be developed on identical lines. If a powerful and wealthy nation like England considers it necessary to add to its economic strength by means of producing her requirements from her own soil and factories, how much more necessary the same policy must be for a poor country like India? India is very favourably situated in this matter. It has been held by experts that there are four principal factors necessary for the success of industrial enterprise, namely (1) supply of raw material, (2) supply of labour both skilled and unskilled, (3) capital, (4) markets. India has an abundant supply of raw materials which she wishes to turn into manufactured products. She does not wish to engage at present in the manufacturing of articles the raw materials for which she does not produce. She has a plentiful supply of unskilled labour, and she has extensive markets of her own. She is certainly deficient in skilled labour, but that deficiency can be overcome by importing it to begin with, and by producing it for the future by the foundation of technological institutions, and by apprenticeship in going manufacturing concerns both in India and elsewhere. The question of capital is rather a difficult one. It has been stated, and I think correctly, that Indian capital is shy. It is shy, because under present conditions the chances of success are doubtful. I venture to think that if, existing conditions are changed and the prospects of successful industrial enterprise become reasonably possible, capital in India will lose its shyness, and will be available for all immediate wants. India will gratefully accept and pay for any help she may receive from England in her efforts towards her industrial regeneration both in the matter of supply of skilled labour and capital. I wish to make it perfectly clear that, in moving this Resolution, I have not the least feeling of jealousy against British enterprise in India. On the contrary, I firmly believe that English capital and English skill will be materially helpful in the economic salvation of India. Provided that the factories are established and worked in India, I would warmly welcome British enterprise and wish it every success. Establishment of successful industrial undertakings in India by Englishmen is, to my mind to the present and ultimate advantage of this country. The people will find employment in such factories, and be trained in the course of time to start similar undertakings. As an example of what I mean, I will mention the jute industry in Bengal. It has been established by British enterprise, and is still mostly in British hands. It has been, and is still, paying handsome dividends. Let such profits go into the pockets of really enterprising men, be they Englishmen or Indians, provided, as I have already said, that the factories are established in this country. India cannot always remain an open market for the manufactures of other countries. She earnestly desires to gradually reach a position of one of the foremost manufacturing countries in the world, a position which her resources make it easily possible to attain.

“ I need not tell you, Sir, that there is a consensus of opinion amongst the people of this country that, as a condition precedent to the growth and

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development of industries in India, and to build the national strength of this country, it is essentially necessary that the Government of India should have complete freedom in fiscal matters. India desires that her Government, following the lines adopted by other civilised Governments, should take a direct hand in co-operating and helping the development of industries in India. If Japan and Germany have succeeded within a short period of about 40 years to reach a foremost position as manufacturing countries amongst the nations of the world, by the joint co-operation of Government and the people, there appears to be no reason why India, with all its natural advantages, should not reach equal, if not a higher, standard. For many of their manufacturing industries, both Japan and Germany are obliged to depend upon imported raw materials. If, in spite of this drawback, they have successfully accomplished their aim, there appears no reason why India should not be able, with a cordial and wholehearted support of her Government, to achieve success with all the necessary raw materials available on the spot.

“The outbreak of the European war has opened the eyes both of the Government and the people to the unsatisfactory conditions prevailing in India in consequence of her helpless dependence upon foreign countries for her everyday requirements. I readily recognize that efforts are being made by the Government in many directions to meet the needs of the situation. It appears to me, however, that, unless the hands of the Imperial Government are free in fiscal matters, the results will not be adequate. If the Government of India were free to adopt measures solely in the interests of the people of this country, without any restrictions or limitations in fiscal matters, our industrial development would be in a fair way of successful accomplishment. India wants fiscal autonomy as the first step towards her industrial regeneration, and if Indian public opinion is to have any weight in the determination of this question, we ought to get it at once. Government will have noticed that in recent times many Conferences have been held and many newspaper articles and correspondence have been published putting forward a demand for fiscal autonomy. There is nothing unusual in this demand. The British Empire consists of large territories in different parts of the world, and each self-contained unit has a Government of its own. The Governments of the British Dominions are empowered to determine their own fiscal policy suitable to their economic conditions and circumstances. Each unit of the Empire has its own special economic needs and requirements which require to be promoted in accordance with local conditions. Whether the Government of each self-contained territorial unit takes office by the vote or voice of the people, or occupies its position by nomination by the Crown, it is the form of Government regarded as best suited to it by Great Britain. Whatever may be the method by which Government is constituted, there can be no question that such Government, if you give it the exalted name, should be allowed full freedom to determine what fiscal policy is suitable to the special conditions prevailing in the territory under their charge. My claim that the right to determine fiscal measures best suited to the economic needs and requirements of India should vest in the people who are entrusted with the administration of the country, appears to me unassailable. As illustrating what can be accomplished by sincere co-operation between the Government and the people, the case of the industrial development and economic growth of Japan may be advantageously cited. It was in the year 1868, *i. e.*, about 47 years ago, that the first Joint Stock Company was formed in Japan under the auspices of, and direct encouragement of, the Japanese Government. Ever since that time the industrial development of the country has formed one of the principal tasks of the State. How eminently successful these efforts have proved is known to every one who has taken any interest in the subject. No difficulty, however unsurmountable it may have appeared at first sight, was allowed to stand in the way. If railways and steamers were required to facilitate transit, they were built, and raw materials imported and manufactured goods exported at special rates in many cases below what may be justifiable on the commercial basis. To help the provision of

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capital, banks were started and capital was encouraged to become liquid and available. When in 1898 it was found that the development of industries needed the help of protection, tariffs were thought out and applied. They were not deterred by any scientific arguments in favour of free trade. Undeterred, as I have said, by fanciful ideas as to what was best suited to other countries, Japan went on the lines which she regarded to be most suitable to herself, and she has achieved a measure of success unparalleled in Asiatic countries within a period of less than half a century. If Japan, with joint co-operation between the people and its Government, has successfully accomplished so much within so short a time, I cannot understand why India cannot be equally, if not more, successful. India possesses many natural advantages as compared with Japan. With such advantages she can, without doubt, reach a higher standard of industrial development by a sincere and genuine co-operation between the Government and the people. The interests of India and her people should be put above all others.

“ In order to show some of the methods which Japan adopts, I will quote from the report of Mr. E. F. Crewe, the British Commercial Attaché at Yokohama. Mr. Crewe says—‘ that subsidies for new enterprises will be granted under the following regulations :—The Japanese Government will pay three subsidies, (1) to a company specialising in the manufacture of dye-stuffs whose capital is at least 6 millions yen, (2) to a company manufacturing glycerine and carbolic acid whose capital is at least 1,200,000 yen, and (3) to a company manufacturing drugs whose capital must be 500,000 yen. Anyone who desires to organise a subsidised company for the manufacture of dye-stuffs and chemicals, must apply to the Minister of Agriculture and Commerce for permission to establish the projected concern, but in the case of drugs permission should be sought from the Minister for Home affairs. When part of the capital is paid up, the first general granting of the shareholders completed and the new company duly registered in the Courts, the promoters of the company are entitled to ask for a subsidy. The Government guarantees to each company a dividend of eight per cent. per annum making up any deficit. Each company must lay aside one-twentieth of its net annual profits as a reserve fund. If its shares are issued at above par, the premium must be included in the reserve fund.’ ”

“ This quotation shows in what manner the State helps to initiate new industrial enterprises. The work undertaken by the State and that performed by the people appears clearly defined. The State carries out all research work, all inquiries and investigations as to the means which are likely to provide materials for successful enterprise. As soon as all this work is completed and the Government is satisfied that a new industrial enterprise can be successfully established, it calls upon people, who are best able to manage the concern, to get up a company with the required capital, and the concession is granted. As you will observe, Sir, the concession carries with it the guarantee of such a high rate as 8 per cent. per annum. Indian capital will, I am sure, be content with a much smaller guarantee, if such a system was adopted in favour of manufacturing industries.

“ There is nothing new in the Japanese method quoted by me. As a matter of fact, the same system is adopted by the Indian Government in promoting railway construction in this country. In this connection, the Government of India has been conceded practically a free hand. They are not only allowed to develop railway construction in India, but they are encouraged to push it on.

“ Facilities of speedy transport develop trade, and provide markets for manufactured goods. The Government of India have taken full advantage of the liberty of action thus conceded to them. They carry out surveys in all directions in which railway enterprise seems likely to be successfully undertaken. All the surveys, inquiries, investigations and the financial prospects of railway projects are thoroughly gone into by a large expert establishment maintained for the purpose. When the State is satisfied, as a result of these

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elaborate inquiries, that a particular project is worth undertaking, they decide whether it should be carried out through State agency or by private enterprise. In the case of the latter, a suitable firm is chosen to find the capital and undertake the work. In addition to all the necessary facilities, a guarantee of interest is also given. This method appears to me to be on all fours in principle to that adopted by the Japanese Government. In each case the object aimed at is successfully accomplished. If it was not for this system, it can be said, without fear of contradiction, that railway progress, specially in the direction of feeder lines, would not have reached anything like the present proportions. I venture to think that the railway policy so successfully adopted by the State, is due to the freedom of action conceded to them, and I am confident that, if the Indian demand for full liberty in favour of the development of manufacturing industries was also conceded to them, the result would be equally satisfactory.

“ It was at one time my intention to deal with the question of free trade. I intended to discuss the arguments urged in favour of free trade and the principal objections advanced against any system of ‘protection.’ In the first place, I cannot do so within the time-limit imposed, and in the second place, it does not appear necessary, as I am asking for the appointment of a Committee to go exhaustively into the whole question, and to determine whether ‘protection,’ ‘subsidies and bounties’ and ‘a guarantee of interest’ should be allowed ‘in such cases and for such time as may be deemed necessary.’ I will, therefore, content myself by merely pointing out that every civilized country in the world, including the British Dominions, has abandoned this principle, and follows a line of fiscal policy including protection, as appears best suited to its own needs. England has been the only civilized country in the world which has persevered in her policy of free trade and has enforced it upon India. I maintain that the principles of free trade, however unexceptional in theory, are totally unsuited to the conditions and circumstances prevailing in this country. England has to depend largely for her raw materials, and even for her foodstuffs, upon foreign imports. India has a plentiful supply of raw materials, and produces an abundance of foodstuffs. England is a highly developed industrial country. India may be said to be on the first rung of the ladder in the matter of industrial development. India’s position under free trade has been that she has the proud privilege of being the supplier of raw materials to outside countries and furnishing an open market for the factories of the world. In dealing with this subject, however, my task is greatly simplified by the fact that a considerable change has come over British sentiment since the outbreak of the war. Even the Manchester Chamber of Commerce, which has been the stronghold of Cobdenism, has recently rejected a Resolution in favour of free trade after the war. There is one point, however, to which reference is necessary. During the many discussions which have recently taken place in England on the subject of the future trade policy to be adopted after the war, India appears by tacit consent to be left out of consideration. I am referring particularly to the recent debate in Parliament upon Mr. Hewin’s Resolution. Though the motion was confined to the war period, the whole question was fully debated. Mr. Run-ciman, in a long and elaborate reply, gave some indication of what is likely to be the outcome of changed conditions due to the lessons taught by the war. The whole time was taken up in the consideration of measures in consultation and co-operation with the Dominions and trade treaties with the Allies. There was not the slightest reference to any consultation with the Government of India, nor a word as regards the part which she was to play in the Imperial Customs Union of the Empire. Before any one corrects me, I will myself admit that there actually was one reference to India in this elaborate speech, and that was to India’s ability to supply manganese ore. I earnestly trust that it is not intended to convey that, whatever may be the changes effected by the war in the fiscal views in England, India’s position will remain the same, *viz.*, the supplier of raw materials to foreign countries and the dumping ground for the factories of the world. I cannot conceive that such

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can be the intention. It is, however, necessary to point out that a copy of the proceedings of the House of Commons has been forwarded to each of the British Dominions, and their views invited on the points raised, while it has not been sent to the Government of India. May I take this opportunity to respectfully remind the responsible Ministers of the Crown that the educated people of India closely follow the proceedings in Parliament which in any way affect the interests of their country and form their impressions from all such pronouncements? His Excellency has kept himself thoroughly conversant with Indian thought and sentiment. I hope he will impress upon the Ministers in England that India will not be satisfied with the position of a trusted dependant, but claims the rights and privileges of equal status in the Imperial partnership. India will not willingly accept a subordinate position in any scheme of Imperial Customs Union. India claims that she is entitled to participate on equal terms in all the deliberative assemblies called for the purpose to determine the lines on which the future Customs Union shall be formed. In claiming this right, India accepts her full share of responsibility. India has its own economic needs and requirements as much as the Dominions, and she claims perfect freedom to pursue such fiscal policy as may, in the opinion of her Government and her people, be best suited to her own conditions. At the same time, she is ready and willing to accept full responsibility of the Imperial partnership in which each member, while working to advance its own economic interests in its own way, participates in schemes for the promotion of the best interests of the Empire as a whole.

"Sir, I am constrained to make these remarks in view of India's past experience. We have been encouraged to hope by clear pronouncements of high authorities, but when the time comes for such hopes to fructify, various reasons are discovered against a full recognition of our just rights. I fully appreciate the difficulties in the way. However much the Ministers of the Crown may be sympathetic, they have to take into consideration the prevailing political conditions in England. Lancashire has 60 votes in the House of Commons, while India has none. The combined effect of these votes has an overwhelming influence on the party system of Government in Great Britain. They have a telling effect upon the determination of the policy which should govern India's economic and industrial development. Only two years ago a motion to reduce the duty on Indian tea brought forward to afford relief to the breakfast table of the poorer classes in Britain was negatived on the ground advanced by the Chancellor of the Exchequer that it would be construed as giving preference to India over China, and that it meant 'picking a quarrel with Lancashire's best customer.' China has the power to retaliate, India has none. China imports from Great Britain merchandize to the extent of about £15 millions, and due consideration must be shown to her as a customer. India's imports from Great Britain amount to £85 millions, but India is only a British dependency. Russia does not hesitate to give preference to China by lower rates of duty on Chinese tea than on Indian tea. She does so, by differentiating between imports by land and by sea. Germany has imposed a heavy import duty on jute manufactures, while raw jute is admitted free. She secures her raw material in this way, and promotes her industries by penalizing the imports of jute manufactures. America has by similar means tried to throttle our tanning industry, she has imposed heavy import duties on tanned hides and skins, while raw hides and skins are admitted free of duty. Japan, which was not very long ago a large buyer of Indian yarns, has so managed her industrial development that she takes instead a large quantity of Indian raw cotton, and supplies not only her own requirements but also competes with Indian yarns in the Chinese market. Not content with this, she is trying to compete with our mills in the Indian markets, and her exports to India of hosiery and cotton piece-goods have already reached about a crore of rupees. India has, under present conditions, to be merely a patient spectator of what is going on. She has no power of talking about retaliation. She occupies a strong position. Her imports amounted to £122 millions in 1913-14, out of which £96 millions represented manufactured goods.

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Her exports during that year amounted to £162 millions, of which £124 millions represented food-stuffs, tobacco and raw materials, or nearly 77 per cent. ; 50 per cent of raw materials and about 27 per cent. of food-stuffs and tobacco. The Council will clearly see how well India is situated in the matter of her imports and exports. Her imports largely consist of manufactured goods and exports of raw materials, food-stuffs and tobacco. If India was free to talk of retaliation she can do so to some purpose. Such a power in the hands of her Government would enable them to enforce better trade terms and obtain for this country at least ' fair trade ' principles.

" I do not wish to go over the ground again how, in spite of the opposition of the Government of India and Indian public opinion, Lancashire's view prevailed in 1894 in regard to the imposition of excise duty on cotton manufactures, and even during the current year in regard to increasing the duty on textile fabrics. I need not mention here how highly India appreciates His Excellency's sympathetic administration or the deep regret with which she is parting from him. We know how highly the British Ministers appreciate Lord Hardinge's valuable services and esteem his great gifts. I earnestly trust that His Excellency will try to render a lasting service both to Great Britain and India by impressing upon the Home authorities that the time has come when fiscal freedom should be conceded to this country, that India should be raised to the status of equal partnership in the British Empire, and that every help and encouragement should be afforded in her efforts for her economic advancement. With the great grasp of Indian problems which His Excellency undoubtedly possesses, I hope he will make it perfectly clear that any disappointment in this direction will be keenly felt throughout the country. The greatest need of the Empire at the present time is high-minded statesmanship. It is essentially necessary that Imperial problems should be dealt with in a broad-minded spirit of Imperial brotherhood, and I earnestly trust that such spirit shall prevail. With these words I commend my Resolution to the favourable consideration of the Council "

**The Hon'ble Sir Gangadhar Chitnavis :—**" Sir, I have listened with very great interest to the exhaustive speech of the Hon'ble Sir Ibrahim Rahimtoola. The Resolution has my unstinted support. I feel the necessity of a Committee as much as the Hon'ble Mover does. Not that I hold that the Local Governments are not wideawake to the importance of industrial development, or that they have not moved in the matter as far as possible within the limitations imposed by higher authorities. I am glad the Hon'ble Mover himself gratefully appreciates the work done by Government before now in this direction. I can myself testify to the good work done in the Central Provinces and Berar by the Local Government there under the sympathetic and capable guidance of the Hon'ble Mr. Low as Director. We have in certain matters made some progress, but that is hardly enough. I believe the time has come for a dash forward. A nice opportunity has presented itself. We are freed to a large extent from foreign competition, and that at a time when the pre-war economic theories have received a rude shock. The British Empire has, as the Hon'ble Mover has said in his speech, awakened as from a dream ; all round there is a sincere desire to prevent Germany and Austria regaining their hold on the market of any of the units, India included. Unless, however, we make full use of our opportunity there is precious little chance of our wishes being fulfilled. And Government is moved for the appointment of a Committee, because we are anxious that the best use shall be made of the short time at our disposal. If the revival of old industries and the creation of new industries be not helped in the initial stages by Government, there is the very great risk of our adopting wrong lines and of our energies being frittered away in idle attempts to compass the impracticable. The deliberations of a committee like the one under discussion, will help to give us accurate ideas of what is practicable at present.

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There are also several points which must be very carefully considered by such a Committee. We have often urged ourselves, and we have seen others urging it, that model factories should be started by Government for the popularisation of different industries. I believe in their educative value. We have experience, too, in our support. But we cannot forget that the scheme is opposed to the policy laid down by Government. The *pros* and *cons* of the whole subject in these circumstances must be sifted by a strong committee before we can expect Government to accept our recommendation. Similarly, other important suggestions made by the public for the resuscitation of our decaying industries—and reiterated by my friend the Hon'ble Mover—await careful examination. The Hon'ble Mover has raised many other questions regarding capital, labour, etc., intimately concerning the development of industries in this country. These difficult questions relating to our industrial development, and questions such as the grant of subsidies to promising companies, expert advice about industrial matters to the public and market-pushing cannot be satisfactorily and finally discussed either in this Council or on the public platform. Such discussion, to be fruitful, must be undertaken by a committee of experienced gentlemen who will devote their whole time and attention to industrial subjects, and who will verify their inferences at large industrial centres. The appointment, therefore, of an investigating committee is every way desirable. I will not touch here on important fiscal questions connected with the development of our industries. My views about them have been expressed before more than once. But we must recognize that in existing arrangements the Government of India is not the supreme authority in fiscal matters, and the Secretary of State for India, as one of His Majesty's Ministers, has to consider them from a broader standpoint. All the same, it is necessary that our resources should expand in proportion to the increase in our population and the cost of living. This can only be when our industries are fully developed, and therefore it is that an exhaustive consideration of the whole subject of industrial development is necessary. The Colonies have taken up this work in right earnest, and it is right that we should have a programme ready which will help us also when the war is over."

**The Hon'ble Rai Sitanath Ray Bahadur :—**"Sir, the Hon'ble Sir Ibrahim Rahimtoola's Resolution is, in my opinion, only an articulate expression in a concrete form, of a feeling which is uppermost in the minds of all classes of people throughout the country. With his usual powerful advocacy my Hon'ble friend has ably discussed the subject-matter of the Resolution, from all points of view, indicating the line of action to be taken for attaining the object we all have in view. The object being to take advantage of the present situation, to capture as much as possible, of the markets which were in the hands of our enemies. At the outbreak of the war, we were suddenly awakened to the painful consciousness that in respect of many important and necessary commodities, of daily use, the supply came entirely from enemy countries, and the pity of it was that India supplied the raw materials for the manufacture of some of these commodities. This was not only true of our own country, poor as she is, in her industrial aptitude and equipment, but in some respects, equally true of England, the greatest industrial country in the world. In England, many movements were immediately set on foot and some undertakings were taken in hand, just as the situation was realised, and it soon became evident that some definite and systematic course of action would have to be adopted with regard to this question. Even in the height of the present crisis, when the mind of the English nation is wholly engrossed in the prosecution of this great war, they have not lost sight of the importance and necessity of further developing their industries with a view to substituting their own goods in the place of enemy manufactures at Home and abroad. Responsible Statesmen not only in England, but also in the Colonies and in the Allied countries, have spoken out their minds, all supporting a policy of concerted action to oust the enemy goods from our own markets,

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but no policy has yet been announced in this country. I must admit that the Imperial and Provincial Governments have already done something in this direction. We know that an Industrial Exhibition was organised last year, and the show was exhibited in several places. We know that an Industrial Museum has been recently opened at Calcutta. There have been some industrial investigations and inquiries conducted under the auspices of some Provincial Governments.

“ These and all other efforts in this direction are indeed laudable, but I fear their cumulative effect will be very small unless vigorous and concerted action is taken to give all possible encouragement of a nature which would go to stimulate industries. To be plain enough, what I beg to suggest is, that our Government should, in the light of what has been done in Japan, Formosa and Java, take the initiative in launching some selected industries, so that the people might follow their lead, which, I daresay, will have a stimulating effect in developing industrial enterprises. There are other ways in which Government might very well help in developing and stimulating industries, as for instance, by giving subsidies, imposing protective tariffs, regulating railway freights and by expert advice. What we urge upon the Government in this connection is that a comprehensive committee should be appointed to thoroughly study the question in all aspects as it relates to India as a whole. What I further beg to suggest is that after the committee, as suggested by my Hon'ble friend, has submitted its report, a permanent Board of Trade should be appointed to assist the Hon'ble Member in charge of the Commerce and Industry Department, in developing the trades and industries of the country. It requires a strong committee to discuss the question in all its bearings. All the important trading interests of the country should be well represented in this committee. The matter is so urgent and imperative that it requires no special pleading on my part to recommend its acceptance to the Council.

“ It is a matter of great gratification to us to see the announcement made by Reuter last evening that the *Times* understands that the Government propose to appoint a representative commission, including several Indian members, to survey the economic resources and the industrial possibilities of India, with a view to the promotion of business enterprise after the war. The announcement is as if in anticipation of our Hon'ble friend's Resolution. We hope the information contained in the *Times* will prove true. This is as it should be. Our only prayer is that the proposed commission should be a little more comprehensive.

“ Sir, with these few words, I heartily beg to support the Resolution which has been so ably moved by my Hon'ble friend Sir Ibrahim Rahimtoola.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan :—**“ Sir, in heartily supporting the Resolution of my friend, the Hon'ble Sir Ibrahim Rahimtoola, I should like to emphasise the need for a complete industrial survey of India, as would suggest great commercial possibilities in the near future. The real prosperity of the country depends upon her economic independence. With the exception of the cotton and jute industries, there is perhaps no large industry worth the name. Next in importance to these is the tanning industry which needs even greater attention than in the past. Among other industries requiring particular attention may be mentioned the mining, paper and sugar industries. Mica mines may be worked with success, and manganese ores are to be found in abundance in certain tracts of the country. The war has brought to prominence the question of the paper industry. More than half a dozen paper mills are working in this country, most of them not as efficiently as they should. For instance, the Punalur Paper Mill in Madras needs badly State aid. It is even proposed that the Madras Government should take over and manage that concern. As for sugar, too, why India should import such a large quantity from Java is really inexplicable, when we find

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that that industry can profitably be worked here. Besides, small cottage industries can be revived or encouraged, and small model factories, too, may be set up at important centres through State aid.

“ Food and clothing are the prime necessities of life, and India, rich in her natural resources and in her varied climate, need not depend upon any foreign country for the very necessities of life. And yet it seems strange that under food and clothing she imports large quantities, especially the latter. The development of her internal trade, therefore, means her assured commercial prosperity. Even as they are, all the 240 cotton mills are too inadequate to meet the large needs of the country. The less cotton goods imported, the better. India imports to-day about sixty-six crores worth of cotton goods (including yarn and twist).

“ Any committee that may be appointed, I venture to submit, should concentrate its efforts upon a few large industries that can easily be developed to the country's great advantage. Smaller industries, such as the glassware, pencil-making and match industries, may be allowed to take care of themselves. The Board of Scientific Advice should increase its usefulness and enlarge its sphere of operation by applying chemical knowledge to the promotion of industries.

“ In Madras, Sir, we had successful experiments conducted through State aid in the aluminium and chrome leather industries. If similar attempts were continuously made in regard to smaller industries, such as glass-making, pencil-making and match industries, these industries will surely thrive better under Government auspices. The leather industry has of late received increasing attention, and new companies are being floated for the manufacture of leather goods. The Director of Industries, be it said to his credit, has been a useful factor in the investigation of industrial possibilities.

“ Industrial expansion in India, Sir, is one of the crying needs of the hour. Closely associated with the growth and development of Indian industries is the fiscal policy of the Government. Though I do not propose to enter into that large question, yet I believe that a beneficial change of that policy so as to afford protection to our infant industries is indispensable to any real industrial advancement in the country.

“ Now that trade has ceased with the enemy countries, the State with its great power of organization and vast resources, should not let go this golden opportunity by suffering either neutrals or even Allies to capture the Indian market. I do hope, therefore, that the outcome of this Resolution will result in the gradual expansion of Indian trade both internal and foreign, and in building up the commercial prosperity of the Indian Empire.

“ With these words, I beg to support the Resolution.”

**The Hon'ble Mr. Dadabhoy:**—“ Sir, though I readily acknowledge that Government has done a great deal in the past in the matter of collecting useful information by industrial survey, and otherwise, I still hold that Government can do much to help the industrial development of India, and I have more than once indicated the manner in which this help can be usefully rendered ; but in the pre-war days Government continued wedded to an economic policy which did not hold out a great promise to the people of direct State assistance or even guidance. Proved success and the example of foreign countries were equally powerless to wean the Government from a policy of strict non-interference in industrial matters. In Madras, the experiment of direct official association with the industries proved so successful that the Provincial authorities contemplated an extension of the principle, but the idea had to be abandoned under orders from the Secretary of State. The war, however, introduced a new force, and necessity was expected to prove at least more effective than abstract reasons.” But while even in Free Trade England the State has stepped forward,

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to lead the people to manufacture articles the supply of which has become short on account of the war, we in India have not yet got through the preliminary stage of investigation. It is only right therefore that the Resolution should be accepted by Government, and that a strong committee should be appointed. The task before the committee is important; a good deal of our future development will depend upon the results of its investigations.

“It will have the advantage of having before it the report of the British Advisory Committee, but the difference in the local conditions will in all likelihood lead to a somewhat different programme.

“Sir, in my humble opinion, the development of the existing industries should engage the earnest attention of the committee even more than the question of the introduction of new industries. I do not deny the need, in some cases the urgent need, for new manufactures. Nothing would satisfy us more, or would serve our interests better, than the larger utilization of our raw products in the manufactures and the replacement of foreign manufactures by the finished products of our own mills. Our success in this direction would undoubtedly depend in a large measure upon new manufactures. But it should be borne in mind that perhaps the sounder course would be to conserve what manufacturing industry we have, and to consolidate the ground already gained before we launch into new ventures. I find that some of our important industries are in an unsatisfactory condition, and in some others we are actually losing ground. I find that down to 1912 the development in certain industries was either slow or retarded, and in certain other industries there was an actual decline. The paper industry and the sugar industry may be cited as illustrative of the former proposition, and the lac industry, the woollen manufactures, the distillation of spirits, the iron and brass manufactures and the silk filatures, of the latter. The factories of each one of this last group of industries have shown a steady decline in number, productive capacity and the total strength of labour employed, the lac factories showing the heaviest decline. The existing industrial reports do not enlighten us about the causes of this regrettable state of things. Every effort should be made to prevent the ruin of these industries, and the committee recommended in the Resolution before the Council will have done a real service to the country by suggesting simple means of their preservation and development. These industries are suited to the country, and nothing inherently wrong is noticeable. With regard to the paper industry, it is difficult to believe that it does not admit of immense expansion. It may be that the cheap supply of wood pulp is the first condition necessary for development, but the investigations so far made warrant the conclusion that the solution of this problem is practicable. The development of the sugar industry, on the other hand, appears to depend upon the utilisation of the by-products. Here too it will be possible for the committee, I doubt not, to formulate simple and workable schemes of supplementary industries, with a view to prevent waste of materials and to make the main industries more profitable, and to suggest improvements in the manufacture. If the committee succeed in helping the development of these two industries at least, it will have done something to earn the gratitude of posterity. There are other industries, however, little undertaken now for one reason or another, which are more or less both individually and collectively important and the possibilities of the introduction of which appear reasonably great. Matches, dyes, drugs, soaps, fertilisers, glassware and a number of other articles are now imported in large quantities from abroad, and the only change which the war has so far effected is to transfer the business from Germany and Austria to Japan and the United States of America. We do not lack the principal materials. They are to be found in abundance within the country, but the great drawback appears to be that the necessary chemicals have to be purchased abroad, and the prices demanded are prohibitive. Our first effort accordingly should be to organize the manufacture of chemicals. And in this matter especially the committee's report ought to be suggestive. My own view is that we should follow the German example, and a body of scientific experts should be maintained at State cost for discovering and advising

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new processes of manufacture. Germany owes all her present greatness, both industrial and military, and go-aheadness, to the labours of her scientists and research scholars. We should not be slow to profit by that example. The importance of science and research work in our national life must be recognized, and the public funds must be freely used for the support of great laboratories. This subject in all its details can only be properly examined by a special committee, but a committee of industrial experts are expected to throw considerable light on the lines in which an immediate beginning is possible. For the development of most of the industries this question of research institutes is of supreme importance, and the sooner it is handled in a thorough manner, the better it is for India.

“ Sir, I do not deem it necessary to emphasize the importance in this connection also of an early and satisfactory settlement of large political questions like those of fiscal autonomy and the right to determine independently our industrial and commercial relations with foreign countries, or of economic questions like those of a protective tariff, subsidy to industries, supply of cheap capital, banking facilities, facilities of transport and advertisement. The committee cannot leave them out. The result of their investigation will be anxiously awaited by the people of this country. In the view I take of the importance of an early and thorough investigation of the numerous points connected with the whole question of the industrial development of India, I accord my hearty support to the Resolution.”

**The Hon'ble Mr. Low :—**“ I crave the indulgence of the Council while I make a few remarks about an aspect of the matter with which to-day's Resolution is concerned, which has not, I think, received sufficiently full treatment in the speeches of Hon'ble Members hitherto. Much has been said of the industrial helplessness of India, and of the failure of Government to lend assistance. I propose to explain briefly what is India's real position as a manufacturing country, as a corrective to the somewhat pessimistic views which have been expressed in to-day's debate, and in order to show on what foundations those of us who look forward to a still brighter future build our hopes. I shall also briefly recount the various efforts which have been made by Government, in spite of difficulties, to help towards a fuller industrial development. I should like, before proceeding to discuss these topics, to say a few words about my own personal views. I have for many years felt the extreme importance of a definite Government policy for the encouragement of industries in this country : a cause in which I confess to being an enthusiast. Such small efforts towards the attainment of this ideal as were possible for an official in a minor and industrially somewhat backward province, I have made, with the feeling, it is true, that the task on which I and others were engaged was long and full of difficulties and unlikely to show any immediate results, whatever the policy adopted and however fully it might be supported by Government, but with the assurance that it was the bounden duty of Government to adopt all right and fair means to accomplish the end in view, and with the sure and confident hope that the co-operation of Government and people and the working of inevitable economic causes would, in the future, distant though it may be, secure for India and her people a fair share of the individual profits and national strength that may be expected from the conversion of her raw products into manufactured goods.

“ The Hon'ble Mover calls on the Government to make a great effort to a great end : we admit the necessity, we have for long admitted it and acted on it so far as circumstances permitted, but the path bristles with difficulties.

“ I should like to give some reasons for the faith that is in me. Several Hon'ble Members have spoken as if there were no industries in India, as if her only economic rôle hitherto had been the tame surrender of her natural wealth for foreign manufacturers to work their wicked will with. Did I believe that this was the case, I should esteem any effort that Government could make

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to remedy this state of affairs to be vain : but I am far from such a belief. I think it can be shown that, where circumstances admit, private enterprise in India has taken no mean toll of the possibilities of creating wealth afforded by the manufacture of her raw products ; and that the difficulties in the way of future progress lie mainly in the fact that in several directions it has come within sight of the end of any further advance on the lines which it has hitherto followed, and must seek for new ones. In all industries for which the agricultural, mineral and industrial products of the country supply means and materials, or, for which the assistance of foreign countries can with advantage be obtained, India has made substantial progress. The cotton industry was started in India as long ago as 1851. It was for long conducted by European enterprise, but the force of example was felt in time, and since Indian capital began to regard it as a possible field for investment, its progress has been extraordinarily rapid. In 1884, there were only 63 mills at work, with a capital of about 6½ crores, and a labour force of a little over half a lakh. By 1914, the capital invested had nearly quadrupled, the number of mills had more than quadrupled and the labour force had been multiplied more than five times.

“ The production of the higher counts, in spite of the fact that India has to pay higher freights than her competitors on most of her imported long-staple cotton, and in spite of the handicap inflicted on her by the fluctuating nature of her labour supply, has increased very largely. Though for long insignificant, it has trebled within the last 20 years : and with the hope of an increasing production of long-stapled cotton in certain important areas in this country, the future prospects of this section of the industry seem promising.

“ The increase in the jute industry has been equally striking. The number of mills at work has grown from 21 to 64 in the last 20 years, and in the same period the capital invested has increased from 270 to 1,309 lakhs, and the employés from 38,000 to 2,16,000. Jute is an Indian monopoly, and the coal fields are near at hand. With these factors in its favour, it cannot be doubted but that, if there had been in Bengal the same bent towards industrial enterprise as was to be found among the hereditary trading and industrial castes of Bombay, a city whose face has always been turned towards a wide ocean and the distant ports of Africa and Arabia, the investment on a larger scale of Indian capital would have led to a still greater increase.

“ But the profits of the industry are by no means monopolised by Europeans. The jute growers of Bengal have gained enormous sums by the increased prices and extended demand : very large sums have been invested in mills and in the finance of the trade by Indians : and the great wealth of Calcutta and the opportunity it gives for trade and employment are largely, if not mainly, due to the jute industry. In the year 1901, apart from these two industries, there were no other large power actuated manufacturing industries, strictly so called, that employed as many as 20,000 persons and only 4 that employed 4,000 or more.

“ At the present time among power using industries, iron and brass foundries employ some 25,000 hands, and rice mills about 22,000, while saw mills employ 11,000, and woollen mills, petroleum refineries, coffee works, sugar factories, oil mills, paper mills, tile factories, leather and tanning works and silk filatures all employ over 4,000 hands.

“ Turning to other than strictly manufacturing industries, we have first the coal industry. The first Indian coal mine was opened in 1820 : in 1912, India was (and doubtless is still) the ninth coal-producing country in the world, her production having increased from under a million tons in 1880 to over 16 millions in 1913. And all of this but  $\frac{2}{3}$  of a million tons she used on her own manufactures or on the transport of her goods, I need not perhaps say anything of the rapid rise of comparatively recent mining industries, such as manganese, mica, gold, petroleum, in some of which Indian capital and enterprise have no unimportant part : for after all, these are of little direct assistance at

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present to manufacturing industries, though by familiarising Indian labour and capital with the conduct of organized industries, they exercise a certain educative effect. Nor need I add to these rather dull statistics by speaking of the rise of the tea industry.

“There are, however, other lines of industrial enterprise which have, till recently, been altogether neglected or pursued half-heartedly. To exploit to the full such industries as the manufacture of oil and oil products, of paper, of glass, dyes and paints (and be it remembered, we have in India ample supplies of the raw material in all these cases) India needs a ‘heavy chemical’ industry; she can hardly obtain this, nor can she hope to manufacture her own machinery, without an iron and steel industry. Fortunately, however, here a most promising beginning has been made. Messrs. Tata and Sons, whose name will ever stand high in the roll of Indian industrial fame, have started and successfully organized a modern steel making plant, which has now passed the stage at which the infantile diseases that attack youthful industries are a source of danger, and is mainly concerned with what shall be the next direction in which it shall expand. Messrs. Tata and others have now installed a number of modern by-product coke ovens, which will render available many products, valuable alike for agricultural and industrial purposes, which have hitherto been wasted. With achievements such as these to point to, what room is there for despair of India’s industrial future? Is it necessary for so many of her existing industries to lie at the mercy of foreign—possibly hostile—sources for indispensable materials? It may be a long day before we see dye-works like those of Germany established in India, but there is no reason why at no very distant date we should not make our own ferro-manganese (I believe Messrs. Tata have already begun to do so), our own ferro-tungsten, our own bleaching powder and alkalis for paper and soap making; and in due course, a good deal of the less elaborate machinery that we now import from abroad.

“But it may be asked what share have the Indian Government taken in Indian industrial progress apart from the gift of internal peace and order which the Hon’ble Mover of the Resolution acknowledged, and the creation of cheap and easy means of communications, both indispensable to industry and trade, but not specially brought into being for that end? The great organized industries of jute and cotton, tea and coal were called into being by existing opportunities; they received the sympathy and countenance of Government in their first inception, and it has been the task of Government since to smooth difficulties from their way, where possible; but it has not been necessary for Government to give any more direct assistance, although something has been done by means of Government institutes like Sibpur College in Calcutta and the Government-aided Victoria Jubilee Technical Institute, Bombay, to supply trained staff for organized industries that were in a position to offer them employment.

“We may now examine the nature and effects of the various efforts which Government have recently made, and I think I shall be able to show that, in spite of certain difficulties, these efforts were not inconsiderable, that their results were beneficial, and will yield useful data for a more extended future policy.

“They began with the development of aluminium hollow-ware manufactured by the Madras School of Arts, an undertaking which was carried on between the years 1898 and 1903 and, after successfully proving that aluminium hollow-ware could be manufactured in this country at a profit, was sold to the Indian Aluminium Company for over two lakhs of rupees. The result of this experiment has been to introduce an important industry to multiply the imports of unmanufactured aluminium by more than 25 times in eight years, and to provide for the Indian public a most convenient article of daily use. A similar attempt in Madras at introducing chrome tanning, though it was not so completely successful as the aluminium factory, was at any rate of great assistance in starting the new and promising industry of chrome tanning in this country, at the net cost to Government of upwards of

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half a lakh of rupees. In the United Provinces, a sugar engineer was appointed in the year 1912, who re-modelled a sugar factory under Indian ownership, and enabled it to work at a profit. Loans amounting to over seven lakhs of rupees were given for the establishment or improvement of cane factories and a small experimental factory was also started by Government. A cotton seed oil factory was established in Cawnpore and managed for some time on behalf of Government, although at a loss. It was closed in the year 1911 in consequence of certain orders of the Secretary of State, but it had at any rate successfully proved the possibility of manufacturing cotton seed oil in India as a commercial proposition, and cotton seed oil mills are now working under private management in several centres. We all know about these orders of 1910 and what was their result on our efforts, but it is only right to say here, that they were due very largely to the difficulties presented by existing industries, with which it was thought that they might unduly interfere. In the case of the sugar industry, the problem is mainly agricultural. It is necessary for the cultivator to be shown how to increase his yield per acre sufficiently to enable him to supply cane to factories at a price and of a quality which will enable India to compete successfully with sugar makers in other countries. Much of the intricate and detailed work of investigation necessary to this end has been accomplished, though much still remains to be done. Prolonged investigations, involving a good deal of expense, have been undertaken by the Forest Department into the possibilities of manufacturing paper pulp from bamboos, and from certain species of grasses which have not hitherto been used for that purpose. The results are most promising; but no Indian capitalist has so far come forward to make use of the results obtained by Government research; and to encourage such attempts the United Provinces Government are, it is understood, considering the idea of starting an experimental factory for the manufacture of pulp from *ulla* grass.

“ It is perhaps hardly necessary to detail the various steps which Government has taken to help industries during the last year and a half. These were described by the Hon’ble Sir William Clark and the Hon’ble Mr. Carr in their speeches of last year in reply to Hon’ble Raja Khushalpal Singh’s Resolution. Since then, we have had the very successful Madras Exhibition, while the peripatetic exhibition of Indian industries and of competing foreign industries has been permanently established on a wider basis, and has now been given a local abode in Calcutta. In the United Provinces, a Government loan of Rs. 35,000 has recently been given to help an oil mill in Cawnpore to lay down improved plant; a small loan has been provided for the Naini glass works, and another for glass bangle works; efforts have been made to recruit glass workers from the United Kingdom and Belgium which have, we have just heard, been successful: an expert has been sent out to assist lamp makers in the United Provinces and in Delhi; the manufacture of bichromate of potash from Indian chrome iron ore has been started with the aid of a Government subsidy. The manufacture of thymol from *ajwain* seeds has been investigated, and a company, which is proposing to start work in Dehra Dun, has applied for a grant of land on favourable terms, which is under consideration. A bureau for the sale of cottage manufactures has been established, and assistance and advice have been given in numerous other directions, for which I may refer Hon’ble Members to the proceedings of the United Provinces Board of Industries, as published from time to time in the press. In Bombay, an Indigenous Industries Committee has been instituted, on which Indian capitalists figure very largely. The possibility of the extraction of magnesium chloride and glauber salts, chemicals of much importance to the cotton trade, from the Kara-ghoda bittern, has been investigated with promising results, and a concession has been given to an Indian contractor for its removal and manufacture. The difficulties of the present time in respect of finance and in the obtaining of plant and chemicals and of experts for the conduct of experimental industries are very great. In spite of these, Government has done its best to bring to the notice of the public promising openings for industries and, so far as present circumstances admit, to help initial attempts. I hope I

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have now made good the position which I set out to prove. I have tried to show that no mean degree of success has attended the efforts of Indian industrialists in exploiting such industries as can be carried on with imported machinery and a comparatively small amount of imported material : and that the efforts of Government, so far as circumstances permitted, have not been so unimportant as is often somewhat unfairly alleged. If you will admit these two points as proved, I think that, with a continuance of mutual good-will and co-operation on the part of Government and people, there is no reason to despair of India's industrial future ; but both alike must now make up their minds to a special effort."

The Council here adjourned for lunch, and after adjournment, the **Hon'ble Sir Reginald Craddock** took the chair.

**The Hon'ble Mr. Surendra Nath Banerjee** :—" Sir, I beg to support this Resolution. Sir, there is abundant evidence that since the outbreak of the war and partly due to the war, there has been an awakened interest created in the educated mind of India regarding the development of our industries. The discussions which have taken place in this Council and the other Legislative Councils, and the utterances of our newspapers and of our public men, unmistakeably point to the conclusion that there is an industrial ferment amongst us. The dominant note of this sentiment is that the Government should actively participate in the encouragement of our industries, and should no longer retain a position of isolation which it occupied in relation to the great problem of industrial development. Sir, along with this feeling, there is a sense of disappointment to which I feel it my duty, from my place in this Council, to give expression. And that feeling is, that the Government has not done what it might have done, and that, when the Government begins to move, the machinery moves slowly indeed. My Hon'ble friend, Mr. Low, referred to the activities of the various Local Governments in regard to our industrial development. I desire to remind the Council of a very important pronouncement that was made by the Hon'ble Sir William Clark in February 1915, when this question was under discussion. I will not quote the words of my Hon'ble friend, though I have got them here, but I will reproduce the substance of what he said. He deprecated the starting of new industries, but he said that in regard to certain existing industries, the moment was suitable for encouraging and developing them, and he mentioned some of those industries. They were the manufacture of various types of glassware, earthenware, the manufacture of celluloids, pencils, matches, etc. I fail to find in the speech of my Hon'ble friend, Mr. Low, any reference to those industries, and I should like to know what has been done in that connection. The Hon'ble Mr. Low referred to the activities of the various Provincial Governments in this connection. Sir, I do not for a moment dispute the fact that Provincial Governments, at least some of them, are very earnest about the matter. The Bengal Government is very earnest ; the Madras Government and the Government of the United Provinces pre-eminently so ; but there seems to be an absence of co-ordination in the efforts of the various Provincial Governments. Some of them are very active ; others move with a slower pace. I hope and trust that the Government of India will see to this and, being the Central Government, bring about a co-ordination in the activities of these various Governments. Sir, I hope and trust that the labours of the Committee which is to be appointed will be fruitful of good in that direction.

" Sir, I do not know whether my Hon'ble friend, the Commerce Member in the speech that he will deliver in this connection, will refer to any of the instructions that may be given to the Committee. My friend has moved for the appointment of a Committee to report upon industries ; but the Committee must have instructions as to the lines upon which they are to proceed. Those instructions must be formulated by the Government ; they cannot evolve them out of the depths of their inner consciousness. There must be a regular mandate—if I may use that word, though, perhaps it is too strong a word to use—coming from the Government of India. I hope the Hon'ble Member in charge

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will be able to tell us the nature of the instructions he proposes to issue to this committee. In the absence of any light or guidance upon the subject, my friend, the Mover, undertook to formulate some of them. I think he gives the place of honour to fiscal autonomy. I am in entire agreement with him, and I hope and trust this Council will be in entire agreement with him in this matter. We have been too long in the leading strings, I hope I am not using disrespectful language, of the India Office and of the Cabinet. Our interests are subordinated to the interests of the British Government. I think, Sir, it was time that we were permitted to stand upon our own legs and to decide the great problem of industrial development according to our needs and according to our consciences, with due deference undoubtedly to Imperial interests. England is the mother of her Colonies and Dependencies. It is not for one moment to be supposed that, in any scheme of industrial development that we may formulate, we should cut ourselves adrift from the mother country, or adopt any programme that may be detrimental to her commercial interests. That is unthinkable. Canada, Australia and other parts of the Empire have all got fiscal autonomy, and why should we not? I regard that, Sir, as the fundamental condition of our industrial progress, and I do hope and trust that you, Sir, will be able to tell us from your place in this Council that that is one of the points in regard to which the committee will be asked to report.

“The next point to which my Hon’ble friend, the Mover, referred is the question of protection. He said, and he did not in the slightest degree conceal the fact, that he was a protectionist. We are all protectionists in a more or less qualified form, and, Sir, we claim to be in very good company. I desire to call the attention of the Council to a preface written by the Secretary of State for India, Mr. Austen Chamberlain, to Sir Roper Lethbridge’s book on Tariff Reform. I tried to get that book from the library, but I could not get it; I tried to get it in Calcutta, and I could not; I had a copy sent to me by the publishers, and in the preface to that book, Mr. Chamberlain declares himself out and out as a protectionist as regards India. Japan has risen to her present position of eminence in the industrial world by following a policy of protection suited and adapted to her interests. The Government of Japan placed itself at the head of the industrial movement and helped it by subsidies, by bounties, by grants, by reduction of railway freights, and by a hundred other means. Japan encouraged her infant industries, and to-day she has captured the markets of India, now that Germany and Austria have disappeared from them. Go to any market and try to purchase any toys or things of that kind, you will find that they are all Japanese. ‘I am interested in a girls’ school and wanted to give the girls some toys as prizes. I could not find any other toys; they were all Japanese. I think, Sir, instruction should be given to this committee to consider the circumstances and the conditions which have brought about the marvellous industrial development of Japan. Let them report upon the question as to whether protection is suitable to India or not, protection qualified or unqualified, let them report upon the conditions which have brought about the marvellous industrial development of Japan. I am sure that will throw a great deal of light upon the policy and the programme which the Government will have to follow in this connection.

“Sir, we know nothing at all about the personnel of the committee, but the ‘Times’ indulges in what may perhaps be called a bit of intelligent anticipation. I find in it the names of an Hon’ble Colleague; I find in it the name of Sir Dorab Tata, and, from Bengal, I find the name of Sir Rajendra Nath Mukerji. No better selection could have been made. Sir Rajendra Nath Mukerji is not only a captain of industry but, having risen from the ranks, he is familiar with all the phases of our industrial evolution and the conditions of life among our people which conduce to industrial development.

“I do not find the name of any leader of public opinion on that committee. Sir, I have a great regard for expert knowledge, but, I think, expert knowledge should be combined with knowledge of human affairs. The expert—I speak with the utmost respect of experts—is apt to be narrow in his views; the man

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of affairs is apt to be liberal and broadminded; and the association of men of affairs with experts will be helpful to the committee.

“There is only one other remark that I desire to make. I have come across a notable observation made by an English writer. He says ‘Education and hungry stomachs are the raw materials of revolution.’ The Hon’ble Mr. Low has brought this remark prominently to the notice of Government in connection with certain conditions that he thought were existing in East Bengal. Sir, education you cannot stop: the tide is flowing on with irresistible vigour and with growing intensity and volume; but the hungry stomachs you must fill, and you can only do so by the development of our industries.

“Sir, it is a delusion to imagine that India has always been an agricultural country. Why did the East India Company come out to this country to trade with us? Not for our rice, not for our dhal, not for our wheat, not for our jute—jute did not exist at that time; they came to this country to purchase our muslins, our calicoes, our cotton fabrics; and under proper guidance, under the fostering care of the Government, we may again develop ourselves into a manufacturing nation. Our agricultural capabilities will help our industrial resources, and our industrial resources will strengthen our agricultural capabilities: they will act and react upon each other and strengthen each other, and the poverty of India will be a thing of the past.

“I wish every success to this committee, but I hope and trust that definite instructions will be given to them. I hope and trust that they will be called upon to report upon the question of protection and fiscal autonomy, upon the conditions which have enabled Japan to achieve her marvellous success in the industries. The committee’s labours, thus guided and directed will, I am sure, mark the inauguration of a new era in the industrial development of this country.”

**The Hon’ble Mr. Rama Rayaningar :**—“Sir, I support the Resolution. I am convinced of the great importance of the question of the industrial development in India. The economic condition of the people, though it is better now than it had been before, is far from being what it should be. The average income per head of the people is indeed very low; it is the lowest in the civilized world. The only way to effect an improvement in the condition of the people lies in the development of the manufacturing industries of the country. The need for the development of industries in India is always present, and the war has accentuated the need. Hitherto, we have been depending upon Germany and Austria and other foreign countries for the supply of manufactured goods required for our every day use, but the war has cut off the source and the people are put to great deal of inconvenience. We must take steps to avert a similar contingency in the future. Moreover, now there is an opportunity for us, the like of which we shall not have. If we miss this opportunity, there will be no chance for our industrial advancement. There is ample scope for industrial development in the country. We have materials for many manufactures, yet we continue to import from foreign countries articles of those manufactures. We must therefore try our best to take this opportunity and start manufacturing industries. There are, however, difficulties in the way: what these difficulties are and how to surmount them is the problem? It is to solve this problem that we want a committee of experts. I am glad the appointment of a commission has been announced. I have no doubt the commission will take the difficult problem into consideration and try to solve it.

“I wish to invite Government attention to one point in this connection, Sir, too much importance is attached to the establishment of big factories. Those who advocate the establishment of big factories do not seem to pay attention to the conditions of Indian life, as also the evil consequences of modern factory life. The villager is not drawn away from his home without being exposed to the risk of being deteriorated both morally and physically. It is therefore necessary to consider an alternative scheme of factory industry which will keep the villager employed in his home. There are authorities who

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hold that such a scheme is feasible. An industry can be started on co-operative principle, with different parts of the plant put up in different villages and worked with electric power. The produce of these small factories can be credited to some central organization. Big industries can be divided and successfully worked on co-operative principles. If such a scheme is possible, I should think the villager, having in his own place employment throughout the year, will not be driven to live the urban factory life. I hope the Committee will carefully consider this aspect of the question and formulate practical schemes for the establishment of such rural work, house industries.

"Sir, there are also other questions. I do not wish to detain the Council any longer. I only suggest that the commission should investigate what industries are possible. We in Madras were beginning to have oil industry, but unfortunately the war has put a stop to it. The possibility of this and other industries, such as the manufacture of soap, matches, chemicals, manures, etc., must be investigated. The commission must ascertain what minerals, what agricultural and forest produce could be economically obtained and utilised in these manufactures. Then there is the question of State pioneering and State subsidizing. We have made some experiments in the direction of State pioneering in Madras, and they were successful; but unfortunately, owing to the interference of the Secretary of State, the experiments were discontinued. Whatever reason there might have been for the interference then, there is no reason now why the experiments should not be renewed. State subsidy will greatly encourage indigenous enterprise."

**The Hon'ble Rai Ghanasyam Barua Bahadur :—**"Sir, I have no doubt that one of the foremost thoughts of the Indian to-day is the rapid advance of India on industrial and commercial lines. The figures given by the Hon'ble Mr. Low are encouraging indeed, and they prove that India is not only thinking but doing some work, and that the speed of progress has been greater of late years than before.

"I had the honour of making some remarks in the course of my Budget speech last year, which I take the liberty of repeating to-day. I said—

'Nothing short of a policy like the Railway policy will meet the demands of the country, and I feel convinced the country will be prepared to bear the burden. Bounties, subsidies, and even partnership by Government, as well as guidance and supervision are in the present stage of India necessary to induce private capital, which is so shy, to come out to the field of enterprise; when the people will under such guidance and support be widely and extensively trained in western methods of business and will begin to have confidence in their own undertakings, there will be no longer any need of such extra privileges; but till then the Government should, I think, be prepared to conceive and shape a comprehensive policy to help the people. It is not the time to-day to dilate on this vast subject. All I beg to submit is, that it will be no labour lost to Government to consider seriously the subject, and formulate a policy of its own to make possible the rapid development of this vast Empire into an industrially and commercially prosperous country.'

"And the Resolution now before us repeats my sentiments in a more comprehensive form. In spite of the progress made by India as shown by the Hon'ble Mr. Low, the size of the country and the largeness of her population apparently make the progress seem none the less very insignificant yet. India is conscious of her poverty and wants to shake it off as quickly as possible; she is anxious to grow more rapidly than a normal course would permit. It is often said that developments on such lines must be natural and spontaneous, and that India must patiently wait and work on. But, Sir, I beg to point out that the ideas of India are really in advance of their capacities in many things, just as the wants of the average Indian to-day are often above his income. The prolific source of English education and the imbibing through it of many advanced ideas not only of England but of other civilised countries, are developing a precocious mental growth which must be supplemented by means of suitable methods of material growth by the same benign Government who have made them taste of the tree of knowledge. India cannot, I submit, keep her proper balance unless upheld by Government in the matter of material development, of commercial and industrial advancement in keeping with her

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mental growth. The proposition has been broadly laid down by some civilised countries like Germany and Japan that the poverty and ignorance of a nation are only removable evils, and they have proved the truth of it almost to the hilt. Will not therefore India look to her Government with the same spirit of confidence that Government will make the same demonstration here? That is the real situation, and happily enough we are daily coming to more and more feeling relations as between the Government and the people; and I have no doubt that this national question will soon find easy solution in the hands of our rulers. Co-operation, as the Hon'ble Mr. Low said, between the Government and the people will make all we want possible, and that co-operation is becoming more patent, more real, and more substantial every day.

"It will perhaps be going out of the way to discuss about particular industries in to-day's debate, but I may mention that even remote Assam has also had her sentiments awakened in this respect, and last year an industrial conference was held under Government auspices, where a number of Resolutions about various local industries were passed which may not be unworthy of the consideration of the committee proposed by this Resolution.

"The Resolution aims at forming the basis of a well-considered policy to be pursued by the Government in this matter, and I strongly support it. I have no doubt that Government will see its way to accept it; and if the committee proposed is formed, I hope all the provinces will have facilities of representation."

**The Hon'ble Mr. Madhu Sudan Das:**—"Sir, this Resolution has, I believe, been moved at what I consider a psychological moment. The war has opened the eyes both of England and of India, to the fact (more so perhaps the eyes of the Indian Government than of the Indians generally) that foreign goods find their way in immense quantities to India. By foreign goods I mean especially German and Austrian goods. Only yesterday, a sympathetic Viceroy removed the fetters of indentured labour so that our hands might be free; and I have no doubt that in this very Council where the shackles of indentured labour were struck, after a short time on the same anvil the Manu mission will be forged. I believe in my heart of hearts that the two countries, England and India, have been brought together by a benevolent dispensation of Providence. The two countries have not been brought together so that one of the countries only should be benefited by the contact to the prejudice of the interests of the other country. At a psychological moment like this, if we realise the importance, the far-reaching significance, of this Resolution and imagine to ourselves that outside this Chamber there are millions and millions of people, of whom it has been said, and sympathetically said, and very often said, that they do not get a full meal twice a day, that their hands are paralysed and fettered, that they are the children and grand-children of those very men who were the architects of all the beautiful edifices that we see in India, when we realise these facts and also that in this Council Chamber we have non-official members of India representing the interests of millions, and also official members most of whom are Englishmen representing the traditions, the history, and the glorious past of England, then I feel, Sir, that this is a meeting the real significance and far-reaching consequences of which are very great. It is a pity that we do not like to see one another's weaknesses. I suppose, Sir, before the invention of mirrors, before mirrors were introduced into the world, every woman thought she was the prettiest woman in the world, and every man thought that he was the most handsome man in the world. Mirrors soon showed them their real features. Consequently, on occasions like these, psychological mirrors are very much needed. Crimination and recrimination will not bring about that co-operation between Government and the people to which Mr. Low has referred in his speech. Here is a fact that we have discovered, that there is a common enemy; we are all determined to crush him; both countries are shedding their life-blood through thousands of their sons. The question is, cannot anything be

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done by Government, with the people to co-operate with Government, to shut out goods that India had got from Germany before these days? I think I understood this Resolution to mean that questions of this nature should be referred to a committee, but I suppose we are drifting into matters which may perhaps embarrass Government and perhaps embarrass the committee, should the committee be empowered to deal with such questions. The power of the non-official member is confined to this, that he can recommend certain Resolutions to the Governor General in Council.

“Sir, is it practicable by a Resolution in a Council like this to recommend to the Governor General that India should have autonomy in its fiscal policy? Can a reference like this be made at the instance of India alone? Reference to a question like this might disprove that there was a point of contact where, in an emergency like this, there might be co-operation between the people and the Government which would bring about beneficial results. The remarks of the Hon’ble Rai Sita Nath Bahadur show that the Government had an exhibition in Calcutta to show the industrial products of Germany and Austria which found their way to India. Austria and Germany have been sucking the blood of India, like the American bat which, while it sucks human blood, actually fans its victim with its wings. It has been discovered that they are blood suckers. The question is can Government, in the interests both of India and England, do something to supply these things—I say England, because as a matter of fact some of the things which Germany and Austria sent to India were not manufactured in England, and England had in many cases to depend on the manufactured products of Germany. Consequently, we have common interest and a common enemy to kill. So let there be no indulgence in crimination and recrimination with reference to the past; let us not go back to the past, and inquire whether anything has been done by Government in the past or not, whether the people have done their quota or not; that is not the question, but here is the situation and the question really before the Council is, what can be done to get the greatest benefit out of the present situation. As regards the suggestion as to what should be done by this Committee (my friend Mr Banerjee knows even the names of the Committee, I am not such a prophet) . . . .”

**The Hon’ble Mr. Surendra Nath Banerjee:**—“I quoted from the ‘Times.’ There was no prophecy at all.”

**The Hon’ble Mr. Madhu Sudan Das:**—“Of course, Sir, we submit our raw materials to other countries and let us hope that our raw material, that is the crude ideas that we put before the Council like raw materials, will be received by the committee and something good turned out by the machinery of their intellect which will be acceptable to the Government and the people.”

**The Hon’ble Raja Syed Abu Jafar of Pirpur:**—“Sir, in support of the Resolution of the Hon’ble Mover, I would crave your permission to make a few observations. The question of improving the condition of the industries and manufactures of this country is a supremely important and vital problem for the advancement and welfare of its people. So far agricultural occupations have been the main source of living of the bulk of the population. But the ever-growing increase in the population of the country and the enormous rise in prices of the necessities of life have rendered it impossible for the people to be contented with that pursuit only. Large numbers of the unemployed have proved alike injurious to the country and to the administration. From time immemorial this country was one of the most important manufacturing centres, but the modern methods of manufacture and the improved conditions of industry in other parts of the world have affected our industries immensely. India by no means lacks natural advantages for its industrial and commercial advancement. It is one of the greatest productive countries for raw materials. But partly because it does not possess

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sufficient means for the manufacture of raw materials into finished products, and partly through want of enterprise in the people, we have lost ground and have become mere suppliers of raw products and dependents on foreign goods for our daily requirements as well as for luxuries. It is beyond all doubt that the real prosperity of our people depends on the revival and improvement of our industries and our industries alone. The Government has not been able to help and encourage our industrial enterprises as much as we are indebted to it in other matters of our well-being, and not even as much as some other Governments are doing in like respect, and it is not possible to compete with them unless we adopt similar lines of working, and unless the Government lends its helping hand and extends its fostering care to the advancement and development of our industries. For regulating our commercial and industrial problems, it is most essential that the Government of India should have a free hand in all matters concerning fiscal questions, and as long as it is handicapped by the control of the Home Government, it will not be able to handle the problem in a more useful and effective manner. I think the Resolution is a most reasonable and modest one, and it only asks for the formation of a committee to consider the best way of taking proper steps in this respect. I trust it will not fail to commend itself to the acceptance of the Government."

**The Hon'ble Mr. Birkett :—**"Sir, I rise to say a few words to support the Resolution that has been proposed by the Hon'ble Sir Ibrahim Rahimtoola.

"I understand however from the papers that Government have anticipated the proposals, and a strong commission is now being formed with Sir Thomas Holland as Chairman.

"I congratulate Government on having taken the initiative, and it must be very gratifying to the Hon'ble Sir Ibrahim Rahimtoola to have his wish anticipated. Already in the Presidency I come from (and I have no doubt the same has been done in other Presidencies), a local committee has been sitting for some time inquiring into the question of how new industries may be started, and how existing industries may best be developed, and I believe a good deal of spade work in these directions has already been accomplished. No doubt the commission will have the benefit of the preliminary inquiries made and will take evidence from the members of these Provincial Committees.

"I have the greatest sympathy with the objects of the commission, and it is perhaps only natural that I should, seeing that throughout my residence in India I have been concerned with local industries and railways promoted and developed by means of capital wholly obtained in this country.

"I have great hopes that under the auspices of a strong commission such as has been foreshadowed, backed up by Government as far as research and experimental work is concerned, old industries will be revived and new industries sprung into life.

"But, Sir, I feel that this commission or any commission supported in their work and their recommendations to the utmost degree by Government, can go very little further than indicate and perhaps start in an experimental way these new industries.

"It must be left to the people to find not only the capital to promote them but the enterprise to carry them on.

"With the example of the Tatas before us, I have very little doubt that both will be forthcoming, and I hope room on the commission will be found for a member of this enterprising family.

"I do not wish to follow the Hon'ble Sir Ibrahim Rahimtoola into the question of fiscal reform. No doubt the commission will make recommendations in all cases where they think that protection by duties is necessary. It will be for Government then to see, in consultation with the Home Government, and, if necessary, with our Colonies, and possibly even with our Allies, how far protection can be given without interfering with the wider interests of this Empire.

"With these few remarks, I beg to support the Resolution."

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**The Hon'ble Mr. Stewart :—**“ Sir, I also desire to say a very few words with reference to the Resolution now under discussion. It was—I speak of it in the past tense—an important Resolution and well timed ; so timely, indeed, that, as the Hon'ble Mr. Birkett has just pointed out, it has scored an anticipatory success, for we have all read in the papers that the commission asked for is to be appointed. That being so, I take it that the Resolution, strictly speaking, is dead ; it vanishes in victory ; and if it is dead, why not say so ? Instead of this, we have got it embalmed so liberally by the Hon'ble Mover and other speakers in extraneous matter, that it is altered almost past recognition, or would be if others followed his example, and might last for ever. I do not wish in any way to belittle the most interesting and valuable discussion which has taken place, particularly the brilliant speech of the Hon'ble Mover and the illuminating contribution of the Hon'ble Mr. Low. But I wish, in my few remarks, to confine myself strictly to the terms of the late Resolution. What I want to say is, that this great war has given India an opportunity for which she would otherwise almost certainly have had years to wait, and if advantage is taken of this opportunity to develop the enormous latent natural resources and industrial possibilities of India as they should be developed, the result is bound to be enormously valuable, not only to India herself which is much, but to the whole Empire, which we all agree is much more : and I do agree—though we business-men are not particularly enamoured of commissions, which are somewhat apt to be amorphous in their constitution and rather indeterminate in their results—I do think that a small body of practical business-men and experts should succeed in focussing and in facilitating the solution of the very many difficulties which are inseparable from this important question. There is indeed need and scope for all of us, officials and non-officials, Europeans and Indians, in this work, and I congratulate Government heartily on having obtained so able and so practical a man as Sir Thomas Holland to be President of the suggested Commission.”

**The Hon'ble Sir William Clark :—**“ Sir, I think the moment has come when I ought to intervene in this debate and say without further delay, although it is something of an anti-climax, that Government propose to accept this Resolution. There is no subject to which we have given closer attention recently than to the problem of industrial development in India. We have not suffered that attention to be distracted even by the special and pressing demands of the war, but have endeavoured to look beyond the turmoil to the victorious peace which will ensue and endure, and so to shape our policy that India's industrial interests may not be prejudiced by delay. As a result, we have anticipated the recommendation of the Resolution. We have already taken steps to constitute not a committee but a more important body, a commission, whose duty it will be to consider and report upon the possibility of further industrial development in this country. This debate comes, therefore, at a singularly apt moment. It shows that our ideas and those of Non-official Members coincide on the main issue, though, for reasons which I will shortly put before Council, the scope of the inquiries entrusted to the commission which we are appointing will not be quite so wide as some Hon'ble Members would have wished.

“ Manifestly it is impossible in the short time allowed to me under our rules, to attempt anything in the nature of an exhaustive survey of Indian industrialism. I can only hope to deal with certain salient features, and especially, if only in broad outline, with the question of the legitimate scope of the State in the promotion of industries and the practical steps which in our judgment can now be taken. But I must first touch on two topics of great intrinsic importance which have formed a not inconsiderable part of to-day's speeches, one what I may call the constitutional issue, and the other the question of fiscal-protection.

“ I have not infrequently observed that, when a Resolution comes to be discussed in this Council, it is found to wear a different complexion to that with which it was endowed when it first appeared, a mere innocent bantling,

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on the Order paper. The present motion is certainly a case in point. Ostensibly it recommends that a committee should be appointed to consider and report what measures should be adopted for the growth and development of industries in India, and, I think, any one who had merely read the terms of the motion would have assumed that the chief functions of the committee would be to inquire into the immediate causes which have been obstacles in the path of industrial development in India—the shyness of capital, the difficulty of securing efficient labour, the lack of experts in the more scientific branches of industry, and so on. The speech of the Hon'ble Mover shows, however, that he has also very different matters in mind. He wishes his committee to be entrusted with no less a matter than an inquiry into the constitutional relations between the Secretary of State and the Government of India, in so far as they impinge on commercial and financial interests. He wishes the committee to consider whether the Government of India should not be given complete freedom in such matters, and especially in the control of import and export duties. He is himself a strong advocate of such a course. He holds—and herein lies the immediate connection with the subject-matter of this Resolution—that a Government of India, uncontrolled by the Secretary of State, untrammelled by the conceptions of fiscal policy which may be held by the British Government of the day, would be a far more potent instrument for the development of industries in India than the administration of this country under its present constitution. I am very far from complaining in any way of the introduction of this topic into the debate. It has led to a very interesting and valuable exposition of the views of the Hon'ble Mover and of other Members who have followed him, and has shown, as indeed we have already reason to know, the same point was urged, for instance, by Sir Fazulbhoj Currimbhoj at the first meeting of the new Indian Commercial Congress—that there is a weighty body of opinion tending in this direction. The Government of India certainly do not underrate the importance of the question, nor do they fail to appreciate the confidence which the Hon'ble Mover and other Hon'ble Members have been good enough to show in them by their advocacy of this constitutional change. At the same time, I think, Council will recognize that I cannot follow them into a discussion of it, and will acquit me of any suspicion of discourtesy if I abstain from doing so. I think they will readily realize that this is a topic outside of our purview, and one on which we are not entitled to express an opinion. But the fact that the Government of India cannot take part in a discussion of this topic will not impair the value of what has gone before in this debate. Hon'ble Members have had an opportunity of expressing their views. Those views will be duly recorded in the Proceedings of our Council, and will doubtless receive from the British Government, when the time comes, the consideration which is due to them. But, when the Hon'ble Sir Ibrahim Rahimtoola presses for the immediate consideration of this question by a committee, I must remind Hon'ble Members of the announcement made by my Hon'ble Colleague the Finance Member, when the Financial Statement was laid before Council. His Majesty's Government, he told us, feel that the fiscal relationships of all parts of the Empire as between one another and the rest of the world must be reconsidered after the war, and they wish to avoid the raising of all such questions until that fortunate time shall have arrived. That being so, to press for an examination of this constitutional issue as an essential part of the consideration of the many other questions involved in the problem of industrial development in India, could only spell delay, and delay is of all things that which we should now most sedulously endeavour to avoid. What we are considering in Council to-day is a business question, and I would put it to Council that the most businesslike course is to grapple with it in the way which is most practical at the moment. I shall hope to show that there are steps which can be taken without raising this constitutional issue now, and equally without prejudicing its future discussion; and I would earnestly press on Council that, in pursuit of the larger aim, they should not in the meantime place unnecessary obstacles in the way of immediate practical advance. Of one thing I am quite certain. I am certain they may rest assured that, in that re-examination of Imperial fiscal

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relations which His Majesty's Government have foreshadowed, the economic claims and interests of India will be fully considered.

"The Hon'ble Sir Ibrahim Rahimtoola, though he spoke with studied moderation, does not seem entirely to share that conviction. But I do not know that his chief example was very well chosen. The Hewins Resolution in the House of Commons urged a closer economic co-operation among the different parts of the Empire, not after the war, but during the war and, though I entirely agree with the Hon'ble Member that the part which India has played during the war might have received a fuller recognition in the debate, the debate does not in any sense imply that she will be neglected in the future settlement. As to the Resolution not having been sent to us, as it was sent to the Dominions, I do not know myself that I should have regarded it in the light of a compliment to India if we had been invited to offer a closer economic co-operation in the conduct of the war. We have throughout the war, as Hon'ble Members well know, placed all our resources at the disposal of His Majesty's Government, often to the detriment of the ordinary course of trade, and His Majesty's Government, I fancy, know very well that if there was any other matter on which we can give them help, they have only to ask us. I think the Hon'ble Member must have overlooked the very important answer which was given this morning to a question by the Hon'ble Mr. Achariar about the Allied Trade Conference in Paris. The Prime Minister has categorically stated in the House of Commons that, if any action affecting economic relations after the war is contemplated as a result of that Conference, the Government of India and the Governments of the Dominions would all be consulted before definite action is taken. That does not look as if it was proposed to neglect India after the war.

"It is clear that the same pronouncement must affect the question of protection, which has also formed a large part of the speeches to which we have listened to-day, since the question of any important modification in our fiscal system is manifestly inseparable from the question of the fiscal relationships of the parts of the Empire and of the rest of the world. We can all, I think, appreciate the objections to raising in war time a question which affects India's relations not only with the United Kingdom, but also with foreign countries. In a sense, protection is a very live issue in India, since it is an issue in which all classes take a vigorous interest, and on which most educated Indians hold strong opinions, but, in view of this pronouncement by the British Government, it is not an issue which can be taken up at the moment. Nor, as Sir Guy Fleetwood Wilson said when we discussed the same subject three years ago, is it a question on which the Government of India are in a position to declare a policy of their own. Their policy is, and must be, the policy of His Majesty's Government. It is not therefore necessary for me—indeed it would be practically impossible in the time at my disposal and with the other questions to discuss which cannot be ignored—to endeavour to examine in detail the question in its application to India. All I would urge on Council is a warning—a warning against regarding protection, or indeed any other measure, as in itself a panacea for all industrial ills. Can we be sure that if protection were established in India, it would in effect secure the object which we have in mind to-day, namely, the building up of industries where the capital, control and management should be in the hands of Indians? That, of course, is the special object which we all have in view. It is of immense importance alike to India herself and to the Empire as a whole, that Indians should take a larger share in the industrial development of their country. Such progress means a higher standard of living, greater prosperity, and, not least, greater scope for political development. But can we be sure that protection would in itself necessarily bring about this end? Might it not merely mean that the manufacturer who now competes with you from a distance, would transfer his activities to India and compete with you within your own boundaries? That has been the case not infrequently in other countries. Nor does the example of the past indicate with any certainty that Indians would be the quickest to seize the opportunities which might be afforded to them by high tariffs,

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if such tariffs were instituted in India. The fact is that the competition of foreign imported goods is not by any means the only obstacle to industrial development in this country. It is curious to note, if we take the three most prominent and flourishing industries in India, jute, tea and cotton, that the industry in which Indians have taken the most important and most successful share, is the manufacture of cotton, where they have had to meet foreign competition both from the west and from the east, not only in overseas markets, but in India itself. It would be very unsafe therefore, whatever may be the subsidiary causes of this phenomenon, to assume that protection, apart from any other question of its merits or demerits, would afford a complete solution of the problem, still less that it affords the only solution. Japan has been quoted from time to time in this debate as a country with a high protective system, but Japan made a very large part of her industrial progress under a tariff system of low duties, and only adopted a definite protective policy five years ago, by which time, of course, she was already a prominent manufacturing country. I wish to avoid entering into any controversy on this fiscal aspect of the case, but I would ask Hon'ble Members to bear these considerations in mind, when they hear protection urged as a remedy for all industrial shortcomings. That attitude can only mean neglect of other important aspects of the problem, which, whether you have a high or a low tariff, equally demand most careful consideration. Let me remind Council of the words recently used in this connection by Sir Dorab Tata, the son of one of the most famous pioneers of industry whom India has yet known, and himself the head of one of the greatest of Indian industrial firms, speaking as President of the Indian Industrial Conference last year. He was prepared, he said, to accept such advantages as might accrue from a moderate protective tariff, but he added—I will quote his words :—

‘I would point out that a protective duty by itself can be of little use in stimulating the growth of home industries .. .....A manipulation of the tariff alone cannot create industries..... There are numerous ways, other than the introduction of a protective tariff, in which the State can, in my opinion, materially help the growth of industries, and I for one would, immediately at any rate, concentrate on them.’

“The sketch of industrial development in India which the Hon'ble Mr. Low has just put before Council, from the institution of the earliest cotton mills to the great enterprises undertaken by Messrs. Tata in recent years, shows that successful industries can be started and developed in this country by Indians. Why is it then, that in spite of these successful enterprises in the past, in spite of the fact that capital is forthcoming and in the industrially more progressive parts of India, such as Bombay, is freely forthcoming, for schemes backed by names which have earned the confidence of the public, the general tendency of the people is still to stand aloof from commercial enterprises and that confidence has not yet been established? Both the history of the past, and the facts, as we know them of the present, are against finding the sole reason for this in causes such as the climate, the inferior quality of labour or foreign competition, though these of course all bear their part. I think we must face the fact that there are also other causes which are in part the fault of the people themselves. Sufficient knowledge, sufficient business experience, sufficient energy has not always been brought to bear on the launching of Indian enterprises. The vital necessity of sound business organization has not always been recognized, nor the almost equal importance of thorough technical and expert examination of an industrial project before it is put before the public. I am afraid it must also be acknowledged that Indian commercial enterprise has not always shown the energy and the determination to persevere in the face of set-backs, which is essential to eventual success. Much naturally is said in India to-day of what has been done by the Japanese Government to promote the development of industries in Japan, but perhaps hardly sufficient stress has been laid upon the qualities which the people of Japan themselves have shown, and the way in which they have imported into their commercial enterprises the same hardihood of body and spirit which have made them conspicuous among

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the fighting nations of the world. Not only have they displayed great pertinacity and perseverance, but they have also, I believe, proved themselves to possess an unusual genius for combination and co-operation. Their largest industries are organized as guilds, and different branches of trade co-operate closely in the common aim of pushing Japanese goods against those of the rest of the world. It is vitally important that Indians should acquire the same qualities. Let me make my meaning perfectly clear. Many of those who have been concerned in India's commercial development have exhibited these qualities in a degree which proves that they need fear no comparison with other nations, either in the west or in the east. It is only necessary to cite the names of the Tatas, the Sassoons, of the concerns with which our Hon'ble Colleague here Sir Fazulbhoj Currimbhoy is associated, of Sir Rajendranath Mukerji and others. But what I have just said is, I am afraid, true of much Indian enterprise which has endeavoured to follow in their steps without having appreciated the methods by which they have achieved their success. Where there is lack of thoroughness ; lack of vigour and perseverance ; where there is also lack of technical or business knowledge, and an absence of the instinct for combination, there is almost bound to be failure, and failure reacts on the public and means that capital is not forthcoming. What we want to see established is confidence in the first place that success will be attained ; and the justification of that confidence by results. There has been too often in India a tendency towards two extremes both equally fatal—to an excessive timidity on the one hand, and on the other to a disastrous recklessness. The only real remedy for either is experience—experience which will warn promoters that success is not to be easily achieved, and that only thoroughness in all stages of an enterprise can achieve it, but which will then prove to investors that on these terms it can be won, and that industrial ventures can be a legitimate and sound outlet for their money.

“ Much, then, must rest with the people themselves, and there is plenty of evidence to show that a keener spirit is being developed, and that the essentials to success are being more generally appreciated. But can the State also take a share, and, if so, in what manner ? I think it is very clear that it can. By the general spread of education it can help to improve the efficiency of the labour force. It can unquestionably help in providing information as to markets, and can set up the necessary machinery for the collection and dissemination of commercial intelligence which it has sometimes opportunities of securing, not available to private persons. It can facilitate that most important pre-condition to the establishment of new industries to which I have just referred, the thorough technical and scientific examination of a project before it is launched. It is clearly within the province of the State, especially in countries, such as India, to assist in technical education and scientific research, and it may properly be asked to provide experts to advise on promising lines of commercial enterprise. Sir Dorab Tata, in the speech from which I have already quoted, spoke with legitimate pride of the immense care taken to investigate the scientific aspects of the schemes undertaken by his firm. This indeed is essential, but unless scientific institutions are provided either by the State or by such princely private munificence as led to the foundation of the Tata Institute, it will often be very difficult for private persons to conduct the necessary researches in countries such as India where the necessary laboratories and equipment are not forthcoming on other terms. But even when this is provided for, I myself believe that there is yet more which the State may not improperly undertake. It must be remembered that there may still be a hiatus, the existence of which it is not fair to attribute altogether to lack of enterprise on the part of the commercial community. The path of the pioneer in the west, as in the east, has been always a thorny one. There have been many failures before success has been achieved. Any one who cares to read the history of the gradual development, for instance, of the iron and steel trade in England will see how true that is. It is the case, of course, that in starting new industries in India the promoters will not be taking the same degree of risk as is involved in the launching of

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a new invention in which unforeseen imperfections may be found when working begins. But they are faced with conditions not altogether dissimilar owing to the especial difficulties which often arise in the transplantation of industries from one hemisphere to another. There are differences in climate, differences of labour and so on which may well affect seriously the cost of manufacture. Whatever care may have been taken in the preparation of a project, there may still be unexpected obstacles. It may, I think, fairly be asked whether this is not the point at which the State should step forward and assist in what are in effect industrial experiments. This may be achieved in more ways than one. The State may provide, or at any rate facilitate the provision of finance for such industrial experiments or, alternatively, it may conduct the experiments itself; or it may take steps to provide especially cheap transport for manufactures made under certain conditions, either for internal consumption or for export. There are obvious difficulties. There is the difficulty in all such schemes of how far the State is to go in spending the taxpayers' money on one particular branch of national development. What the Hon'ble Sir Ibrahim Rahimtoola told us this morning about certain activities of the Japanese Government throw a considerable light on that. He mentioned one industry, I think, which is capitalised at 6 million yen, which is something like a crore of rupees, on which Government are guaranteeing interest at 8 per cent. When one hears figures like that, one understands why a recent report calls attention to the vast increase in Japan's national expenditure. In 1893, the Japanese national expenditure was 85,000,000 yen; in 1914-15, it was 559,000,000 yen. The taxation per head in 1900-01 was 2·75 yen; in 1914-15, it was 6·50 yen. And the writer adds—'Japan still has 60 per cent. of her people engaged in agriculture, and it is largely on the agricultural classes that this extra taxation falls.' That might possibly be not inapplicable to India. I do not mean to say that that is an objection that ought to stand in the way of all advance, but it is one which people might perhaps consider a little more when they attack the Government somewhat fiercely, as the Hon'ble Mr. Banerjee did just now, for not having achieved more in the past. There is the difficulty of avoiding any appearance of favouritism in the selection of concerns or industries to be assisted by the provision of funds; or, in the case of the State itself, pioneering industries, the difficulty of avoiding interference with private enterprise. But the end to be achieved is of immense importance to the country, and it may well be argued that such risks are risks which Government may properly undertake, and the difficulties, difficulties which Government ought to face.

"The Government of India and Local Governments can fairly claim that they have already done a good deal on the lines I have just indicated. On the instructional side, large sums, especially of recent years, have been spent on technical education, and there has been a very considerable advance both in the direction of technical institutes and schools, and in the quality of instruction given therein. Experts in particular industries have been appointed in certain Provinces, and steps have been taken to add to their numbers. The Hon'ble Mr. Banerjee asked what we have done about glass. We have an expert on glass now on his way out to India. The delay has not been our fault, because it is extremely difficult at this time, owing to the war, to obtain the services of experts. An especially significant advance has been made in the creation of the Sydenham College of Commerce at Bombay which, it may well be hoped, will result in raising the standard of business aptitude and knowledge among Indians. Apart from directly educative work, the Government of India have taken up the question of improving their system of commercial intelligence, and after a thorough examination of the subject, have placed proposals before the Secretary of State, which, if accepted, will, we hope, enable the Director-General of Commercial Intelligence to deal far more comprehensively with the huge subject entrusted to him, and will make his office of more practical utility to men of business. We have also within the last few weeks instituted the first Commercial Museum in India, and we intend to make this a permanent exhibition,

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where samples of Indian made goods will be shown to wholesale buyers. The great advantage of these Museums, I may remark in passing, has long been recognised in other commercial countries, such as Japan and Germany, and similar exhibitions have recently been organized with remarkable success in the United Kingdom. As to the more direct forms of assistance to industry, the Hon'ble Mr. Low has given Council a brief account of what has been done in rendering financial assistance to certain selected enterprises and in the direct pioneering of industries by Local Governments. We all know that this pioneering of industries met with some measure of success in Madras, but that Lord Morley desired its discontinuance, on the ground that one of the enterprises concerned had resulted in interference with private enterprise. It is certainly unfortunate that the experiment could not have been more fully tested, though every one will admit that the closest attention should be paid to the necessity of avoiding action which might operate in any way to discourage private endeavour, which is, above all things, what we wish to stimulate. Since that time experiments have been permitted for the demonstration of the commercial possibilities of industries on a small scale, but it is doubtful whether, under such conditions, the results can be sufficiently conclusive. The Railway Board also have impressed upon the different Railway Administrations the desirability of watching carefully for opportunities for fostering local industries by the quotation of favourable rates for the carriage of raw material required in manufacture and of the finished product. They circularised all the Administrations on this subject early last year. The interests of railways and of the industries in this matter are identical, since the new industry brings more traffic to the railway, and there is no reason to suppose that the matter has been generally neglected by railways in the past, but it seemed desirable to impress it upon them once more. At the same time, the Railway Board addressed a Communiqué to the commercial public calling attention to their letter to the Railway Administrations and impressing on the public the importance of giving the fullest particulars when asking for a concession. I have recently asked for a return of the results of this circular, and they are decidedly satisfactory. It is true that not very many applications have been made, but practically all those which have been made have been granted. The Government of India, therefore, can certainly claim that the question of the promotion of industries has not been neglected, but for reasons partly beyond our own control, the action which has been taken hitherto has not been sufficiently continuous and co-ordinated to furnish conclusive guidance for the shaping of our policy in the future, especially as we wish that policy to be more definite and more comprehensive. The more Government considered the question, the more they have felt that there are many points which require further investigation, both as to the industries which afford the best opening for further development in India and as to the way in which Government can best help, and they are convinced that for that investigation they ought to have the assistance of unofficial, and especially of commercial, experience. In other words, we had already come to the same conclusion as is set forth in the terms of the Resolution. I may remind Council that, in a speech at the close of the last session, His Excellency the Viceroy, welcoming the prominent place which this problem had taken in the debates of Council, said that it was receiving the most careful consideration of himself and of the Government of India, and that he hoped to see it taken up vigorously and effectively as soon as normal conditions supervened. In pursuance of the policy foreshadowed in these words, the Government of India addressed the Secretary of State in the autumn of last year, pointing out their difficulties in the matter and asking his approval to the appointment of a commission composed of a suitable number of business-men, experts and officials, some of whom should be acquainted with Indian conditions, some with industrial progress in other countries where similar objects have been pursued, and others with industrial problems, generally, on their business side. We proposed that the whole question should be examined of whether new openings can be found for the profitable employment of Indian capital and whether, and if so in what manner Government can usefully give direct encouragement to industrial development; and we proposed that, in examining this latter question, the

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Commission should be free to consider the question of pioneer industries *de novo* as well as such other methods of stimulating industries as the supply of technical and expert advice, the provision, directly or indirectly, of financial assistance, or other means which might seem good to the commission. I am glad to say that the Secretary of State has sanctioned this proposal, and has enabled us to make what I trust will be the beginning of a new and important departure in the history of Indian industrial development. His consent—and I need not say that this is a source of special satisfaction to Government—enables me, as I have already said, also to accept this Resolution, which has been supported to-day by all Hon'ble Members who have spoken in this debate. We have secured for Chairman of the Commission Sir Thomas Holland, who will be well-known to many Members here as the late Director of the Geological Survey, who did so much to bring that Department into close touch with the commercial life of India. In addition to the Chairman, there will be seven or eight members, of whom three will be Indians. I am sorry that I am not yet in a position to give Council the names of all the members of the Commission, but two of the Indian members have already accepted, our Hon'ble Colleague Sir Fazulbhoj Currimbhoj and Sir Rajendranath Mookerji. I am sure that both these names will commend themselves to Council. We hope also to secure the services of a representative of the Parsi community in Bombay, a community which has always been associated with industrial progress in India. From official circles we have appointed Mr. Low, now Secretary in the Department of Commerce and Industry, who, as Council all know, has taken throughout his career in India a special interest in this question of promotion of industries. It is necessary that my successor should have the benefit of Mr Low's experience for his first few months of office, so that probably Mr Low will not join the commission until the early autumn ; but in view of his previous knowledge and experience of the subject, I do not think that this will in any way militate against his usefulness on the commission. There will also be a representative of European commerce in India, and probably two members who will bring an outside experience from the United Kingdom. No time will be lost before commencement of work. Sir Thomas Holland himself leaves England in the middle of April, and will begin preliminary work at Simla, but I cannot say for certain yet when the commission, as a whole, will assemble. In framing the terms of reference we have excluded from the commission's inquiries, for the reasons I have already mentioned, any consideration of the present fiscal policy of the Government of India. Nor do we propose that they should re-examine those aspects of technical and industrial education which have recently been dealt with by committees working in England and India, whose reports are at present under the consideration of the Government of India. The terms of reference to the Commission will be as follows :—

“They will be instructed to examine and report upon the possibilities of further industrial development in India, and to submit their recommendations with special reference to the following questions :—

- (a) whether new openings for the profitable employment of Indian capital in commerce and industry can be indicated ;
- (b) whether, and if so, in what manner, Government can usefully give direct encouragement to industrial development—
  - (i) by rendering technical advice more freely available ;
  - (ii) by the demonstration of the practical possibility on a commercial scale of particular industries ;
  - (iii) by affording, directly or indirectly, financial assistance to industrial enterprises ; or
  - (iv) by any other means which are not incompatible with the existing fiscal policy of the Government of India.

“It will be clear, therefore, to Hon'ble Members that the commission will not be authorized to examine either the constitutional issue raised by the

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Hon'ble Sir Ibrahim Rahimtoola, or the existing fiscal policy of the Government of India I hope Council will appreciate, even if they would have preferred an inquiry which would have embraced these topics, that there are good and sufficient reasons for the limitation imposed on the Commission's labours, a limitation which will in no way prejudice the examination of either of these two questions hereafter. I hope also that I have been able to show that there is a very large field of important and valuable matter to be investigated by a commission limited, as is proposed, to the more purely industrial aspect of this problem.

"One other proposal of ours I may also mention to Council Japan is the most interesting example of a nation which has developed a structure of modern industrial and commercial enterprise from a past which knew nothing of Western economic conditions. It is therefore of great interest and value to know exactly what her Government has done to aid her people in this notable advance which they have made. The Government of India have already received some information on the subject, though there has not been time for me to deal with it this afternoon, but we felt that it was very desirable to obtain more detailed particulars for the use of the Industrial Commission, and we have therefore arranged that Professor C. J. Hamilton, the Minto Professor of Economics in Calcutta, should visit Japan—he has in fact already started—and should prepare a report which will be available in the early autumn.

"In conclusion, Sir, let me repeat that it is a source of great satisfaction to the Government of India that they have been able to accept this Resolution. May I add that I am especially glad that we should have been able to take this definite step in advance before the close of my own time in India? I make no apology, so far as my own responsibility is concerned, for this step not having been taken earlier. India is an immense country where the economic conditions are unusually complex and sometimes, almost paradoxical; and for a newcomer there is much to learn and something also perhaps to unlearn. But I am glad to think that, before the end of my period of office as Commerce Member, we have been able to see our way more clearly towards an industrial policy. I am a firm believer in India's industrial future, and though I shall have left India before the commission has even commenced its sittings, no one will look forward with greater interest to the outcome of its labours."

**The Hon'ble Mr. C. Vijiaraghavachariar :—**"Sir, I wish to make two observations on the motion before us

"I am unwilling to treat the Resolution as a dead one, and I am not going to join in its funeral. On the other hand, I think I have to render my thanks to the Hon'ble Sir Ibrahim Rahimtoola for his very important motion and the excellent statement he made in support of it. I would also thank the Hon'ble Sir William Clark for the able and sympathetic statement he has made. Reading between the lines of his speech—if one can read a speech when it is being made—it seems clear that the Government has abandoned the policy outlined some years ago by Lord Morley, then Secretary of State for India. On that account and on that account alone, I render my most hearty thanks on behalf of the country to the Government, both here and at Home. And yet I have some considerable doubts whether the commission at this time is most opportune. The Resolution asks for a very comprehensive scope of this inquiry in view to advance this country to be on a par with the great nations of the world. I am not sure whether the Hon'ble Sir Ibrahim Rahimtoola has not raised and challenged a premature issue, considering the circumstances in which the Empire is just now involved; and I am not sure whether this premature challenge of this great issue is not responsible for a hasty,—I beg pardon—I mean a rapid decision on the part of Government, both here and in England.

"In England itself most of the doctrines, economic and political and international, are on their diet and trial. They will all be revised for the

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benefit of England, for the benefit of the Empire and for the benefit of humanity. We know that we are to take part in the reconstruction of the whole Empire, and Sir William Clark also has told us so just now. May I know therefore what is the object of this commission in the meanwhile? How many years more will the war last? Assume that the war will be over in a year, and that peace will be reached in about 18 months or a maximum of 2 years. We have lost over a century and a half under the British Government since the Indian industries have been killed. What is the value of these two years then that we cannot postpone this inquiry and wait till the peace is reached? Sir William Clark, while saying that certain vital questions are beyond the purview of this commission, yet traverses them somewhat. I think it is wholly unnecessary for me during the limited time at my disposal to traverse them too. He talked of two important matters, protection and climatic conditions, which will make it difficult for India to manufacture certain things. It is not the ambition of India to manufacture things which cannot be manufactured at a profit. It is often stated, for instance, that certain finer cotton counts cannot be manufactured in India with profit in order that we may compete with the rest of the world. It is not our ambition to attempt to manufacture such if impracticable, or only practicable at a loss. But at the same time, our feeling is that the best experiments have not been made in India in this direction. India contains all sorts of climates. It may be possible to make these counts in some hill stations with profit; or it may not be profitable at all; that is outside the question now. As regards protection, the Hon'ble Member for Commerce and Industry simply asked a question and did not give the answer, and very properly too. 'Would it be good' he asks us 'to have protection for India?' He has not told us whether it would be good or bad. I am very glad he has left it at that point. My answer is that it would be very good. In this matter we must go by the examples of other countries. The Colonies, the United States of America, and all the countries in the west have adopted protection. Whatever may be the *a priori* views of writers on the subject, the fact remains that these countries have grown immensely wealthy. It might be that in the beginning, when they first introduced protection, such countries may have to pay a little more for what they want than they would otherwise have to, if foreign exports were freely allowed; but soon this settled itself; the increase in wealth in those countries—the enormous wealth—is the best answer to the question put by the Hon'ble Sir William Clark. At any rate, the Government here and the Government in England do not choose to make these experiments in the direction of protection for India. I do not see any reason why it has not been done and why it cannot be done, and all that I say is the fact that the question remains an open one. This country is in a very different position from several other countries. Other countries which adopted protection did so with a clean slate and without history to guide them. We were able to clothe India and clothe the whole world once upon a time as is well known. Our industries were killed by the East India Company and by those who succeeded it in its sovereign functions, by the adoption of narrow and in the end suicidal policies. That being so, it is not fair to say that protection would not be good for India. Then, I respectfully protest against the exceedingly narrow scope of the reference to the coming commission. Now, either protection will be allowed us or it will not be allowed us after the war. I cannot understand why the Right Hon'ble the Secretary of State should not arm himself with a report, with a judgment, and with the evidence of prominent Indians for use later on in either case. The reference prohibits any question, any investigation as to this policy. I even believe that the commissioners will have an exceedingly difficult task to perform in these circumstances. They are told that they could not put a single question as to the existing policy; but I can easily imagine a position wherein the questions will be so dove-tailed that it would be impossible for the commission satisfactorily to execute the command given to them by Government. That being so, I ask the question in my ignorance and doubt—I do not oppose the motion—whether it is useful. Why should we not wait a little longer? What is the object of this commission

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to inquire and report under conditions so very unnatural I should say, and against the aspirations of the Indians ? In short what is the object of this commission ?

“ There is another point which Sir William Clark has not touched upon. In these matters it is not enough that Government judges for us always. It must always try to meet us half-way and to let agitation compose itself. In this matter it is not likely that the Indian agitation will compose itself. It did not ask any of us; it did not take the views of us, the quasi-representatives in this Council, even informally in the matter of the reference. It did not ask us to assist them even in the matter of the names of the personnel. In one point of view, however, I am glad of that and I congratulate Government in their choice so far as the names announced to us are concerned ; and I am more glad still that the other names are not announced, because it leaves me free to say exactly what I wish to say. Even if there be one member on this commission, whose views against us in connection with national industries were ill-disguised and hostile, then this fact will make the report of the commission to be received with suspicion if it be against the cherished views, by us all. That is to say, the commission is appointed without any reference to the wishes of the people of India and without any reference to public opinion in India. Apart from all these, taking the fact as it is, the scope of the proposed inquiry is, in my humble opinion, so narrow that its usefulness is highly problematical. I am one of those who believe that this commission should stand over for two years.”

**The Hon'ble Mr. Setalvad :—**“ Sir, while welcoming the announcement made by the Hon'ble Member for Commerce and Industry about the appointment of this commission, I join with my friend, the Hon'ble Mr. Achariar, in regretting the restriction of the scope of reference. The Hon'ble Sir William Clark said that the question of fiscal autonomy, being a constitutional question as well as the question of protection, would be excluded from the purview of this commission. As I said, I deprecate the restriction put upon the scope of this inquiry. It may be that on inquiry it will be found that protection is not good for India, but why not allow the commission to inquire into it and come to the conclusion that it is not needed. Then the hands of the Government will be strengthened by that conclusion. If, on the contrary, the commission is of opinion on inquiry, that it is needed, why should that expedient be thrown away ? Speaking of protection further, the Hon'ble Sir William Clark said that that was not the only solution of the problem. He said that a good deal depended upon the people themselves, and he said that the success of Japan was greatly owing to the enterprise and self-reliance shown by the people of that country. That is perfectly true. But may I ask my Hon'ble friend to remember how far that self-reliance and enterprise must have been engendered and stimulated by the consciousness that behind them was their own Government, quite prepared to do anything for the purpose of fostering their industries and manufactures. Can that be said in any measure of the people of this country ? Can it be said that the Government of India, even if they wished to do so, are free to take any measures necessary to accomplish such an object ? Why have we not a standing example in this country of the excise duties to demonstrate that the Government of India is not free ? The Government of India have acknowledged time after time that it is a tax that ought to be abolished. Still they are unable to do it, because they are helpless before the Home Government, unable to carry out a reform which they themselves feel to be absolutely necessary for the purpose of fostering the cotton industry in this country. That is where the difference comes in between Japan and India. There, as I pointed out, the people have the consciousness of having the Government fully behind them, not only willing, but having the power, to accomplish what they think is necessary for the purposes of fostering their industries. That unfortunately cannot be said of the Government of India ; and that is why my friend, Sir Ibrahim Rahimtoola, has raised the question about the fiscal autonomy of the Indian Government,

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“ Sir, if the people of India had behind them the Government of India with full power to do what they feel is necessary for the trades, industries and manufactures of this country, enterprise and reliance would be stimulated and engendered as it has been in a country like Japan; that is where I say the question of fiscal autonomy comes in, and still that matter is not allowed to be considered by this commission. I followed the Hon’ble Mr. Low’s speech with great interest, and I confess I admired the current of self-satisfaction running through his remarks. He strove by a mass of facts to establish the point that a great deal had been accomplished in this country not only by the people but also by the Government. I wish I could be as optimistic as Mr. Low. But do the facts justify any such optimism at all? Why, only the other day we had a very striking illustration of the fact that the commerce, trade and industries of this country are far behind what they ought to be. During the discussion on the Income-tax Amendment Act and the Financial Statement it came out, Sir, that in the whole of this country there were only 13,000 people who pay income-tax on Rs. 24,000 a year.

**The Hon’ble Khan Bahadur Mian Mohammad Shafi:—**  
“ 3,500.”

**The Hon’ble Mr. Setalvad:—**“ It is still worse if it is only 3,500. But I understood 13,000 was the figure mentioned by the Finance Member and I will take that figure. Among these 13,000, are included officials with salaries of more than Rs. 2,000 a month; there are also included non-officials employed in private firms drawing such salaries, there are also included professional men, lawyers and medical gentlemen. If we exclude roughly 3,000 on all these heads we have a residue of only 10,000 persons, including Joint Stock Companies, who pay income-tax on more than Rs. 24,000, *i.e.*, only £1,600 a year. If that is the fact with regard to incomes of Rs 24,000 a year, can you say that trades and industries, and especially manufacturing industries, are so far advanced that we can say that the progress has been what it ought to be? I feel, Sir, that the progress made both in manufacturing industries and in trade and commerce is really infinitesimal when we look at the large population and the vast expanse of this country. I think immediate efforts should be made to put things right. In that point of view I welcome the appointment of this commission which will tell the Government what is really to be done in this direction. There is another point that should be borne in mind; industrial development will also largely relieve the horrors of famine that periodically devastate this country. If you divert the population, the extra population, from agricultural to industrial pursuits, you will thereby lessen the calamities of famine; that was clearly exemplified during the last famine in 1910-11 in Bombay. In Guzerat, Deccan and Konkan there was a very severe famine in 1899-1900; then they had the next famine in 1910-11 and this is what the Bombay Government said—

‘The increase in industrial activity and the number of large works in progress which created a demand for labour in excess of the supply has rendered the labouring classes largely independent of agricultural employment. Thus, when the strain came the people displayed an unexpected power of resistance, and though the failure of the harvest was nearly as complete and the prices of food grains rose nearly to the same level as in 1899-1900, the assistance the people required from Government was infinitely less’

That shows that industrial development in this country will also mitigate very much in future years the horrors of famine. Therefore, as I said, I welcome the appointment of this commission, but I deprecate the restriction of its reference. Then, the Hon’ble Sir William Clark said that after the war the larger constitutional questions and the position occupied by India with regard to commerce and industry in the Empire, and other large questions will be undertaken. I do hope that when this is undertaken, that India will have economic and political justice done to her, and that industries and commerce will be stimulated and encouraged in the manner they deserve to be.”

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**The Hon'ble Pandit Madan Mohan Malaviya:**—"Sir, I offer my hearty thanks to the Hon'ble Sir Ibrahim Rahimtoola for the Resolution which he has placed in such an admirable speech before the Council, and I offer my deep thanks to the Government of India and the Secretary of State for having accepted the Resolution. The anticipatory announcement by the 'Times' of the appointment of a commission to carry out the recommendation contained in the Resolution has caused not a little surprise, because it is against the practice usually followed on such occasions that an announcement should be made in respect of a Resolution before it has been moved. It has also caused surprise because the personnel of the commission has been announced in London, while it seems proper that it should have been announced in Delhi. However, that should not take away the satisfaction that we feel at the appointment of the commission, and the selection of the members of the commission whose names have been made public. I particularly wish to express the satisfaction that we non-official members, no less than, I believe, the official members, feel at the fact that Sir Thomas Holland is to be President of this commission. We know his broad sympathies, and his keen interest in the development of India; we know he will bring a broad outlook to bear on questions affecting us, and we have every confidence that under his presidency every question referred to the commission will be considered with great thoroughness and freedom from bias. I hope, Sir, that in deciding the names of other members which, I understand, have not yet been settled, the Government will be pleased to consider the view that has been expressed as to the composition of the Commission. Government no doubt are the best judges with regard to that matter. We cannot claim that we should be consulted formally about it; but we expect that non-official sentiment both here and outside, will receive a little more consideration in the selection of the remaining members. It is not only experts who have got special knowledge of industrial matters, but also representatives of the educated public, who are keenly interested in the industrial development of the country and in the well being of the community, who can bring a great deal of useful knowledge to bear on the discussion of the questions which will come before the commission. It is therefore desirable, and I hope the Government will view the matter in this light, that there should be some more responsible non-official representatives of public opinion on the commission. Sir, one Hon'ble Member has said that the Resolution having been accepted it is dead. I say the Resolution is not dead. It lives, and will bear fruit. Further discussion on it is needed, because the discussion which has preceded, makes it necessary to draw attention to certain points.

"The appointment of the commission is a great event in the industrial history of India. For a long time past Indians have been incessantly praying that more should be done to promote indigenous industries than has been done and was being done. My friend, Sir Ibrahim Rahimtoola, expressed his intention—I do not betray a secret—to bring forward a Resolution like this more than a year ago, and the subject has been alluded to by many speakers in this Council on various occasions. Therefore, the appointment of the commission is a matter of great national importance to us, and it is necessary that we should freely express our opinions as to the matters which we think ought to be taken up by it. From that point of view and because the matter has been referred to by the Hon'ble Sir William Clark also in his speech, I would request the Government to reconsider the question of the scope of the reference. It is no doubt true that during the time of the war, action cannot be taken in regard to the recommendations of the commission on certain questions. A decision on matters of constitutional issue may be delayed, because a decision on such matters can only be arrived at after consulting the Government in England; but it seems to me that that offers no bar, but on the contrary furnishes a very strong reason why the commission should be asked to submit definite opinions on those issues, formed after cool consideration and formulated with care, in order that the Government of India should examine them betimes, and be prepared to put them forward, before the

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Government in England when the time comes, as it must soon come, for arriving at a decision on those questions.

"I am certain, Sir, nobody will dispute, the Hon'ble Sir William Clark's remarks made it clear that he certainly does not dispute, the necessity and importance of a consideration of those issues. He did not find fault with the discussion raised here anent those issues. But if those issues are material to a proper consideration of the question of the development of India's indigenous industries, it is certainly necessary that they should be considered calmly by the Commission, and that their report should be considered by the Government of India, and be ready to be laid before the Government in England when the time comes for it.

"So also in regard to protection. Those are matters, Sir, which affect the question of the growth of Indian industries in a very large way. It is no good fighting shy of them ; they must be faced and solved. There is almost a settled conviction in the minds of a great body of Indians, if not of all Indians, who give any thought to these matters, that the interests of India are not always considered, and that the Government of India are compelled by their very situation, by the very circumstance of being subordinate to the Government in England, which undoubtedly is a fact which nobody can ignore, they are compelled at times to arrive at decisions, if I may say so without meaning the smallest disrespect, both in the way of commission and omission, which they do not in their heart of hearts approve and which they sometimes distinctly and decidedly oppose and consider to be harmful. That has often been the history of Indian finance in our relations with England in the past, and there is a strong feeling growing that that history should now end ; that a new chapter should now open, and that the British Government should look at Indian questions primarily from the Indian point of view, and only secondarily from the English point of view. For all that, it is necessary that the Government should reconsider the question of the scope of the inquiry of the commission.

"There are some other points to which I would like briefly to invite attention. I wish we would draw the veil over all the past and not refer to it all ; but when somewhat exaggerated claims are made on one side of progress achieved, and attention is drawn on the other side to opportunities neglected, it becomes necessary to refer to the subject, not in a spirit of controversy, not in a spirit of hurting susceptibilities, but to point out that in all conscience there is room, and very great room, for initiating a new and large departure. A memorandum was published in 1911 under the orders of Lord Morley, showing some of the results of Indian administration in the fifty years from the time that India passed under the Crown until 1911. An excellent summary was given in it of the progress which had been achieved in various departments of national activity, during that period. In dealing with the question of manufactures, it was stated there in paragraph 44—

'In old times India was a self-contained country, where every tract, more or less, made its own clothes from its own cotton, produced its own iron and made its own tools, grew and consumed its own food. Yarn was spun, cloth was woven, iron was smelted, and tools were made on a small scale by individual workmen after rude methods. Before 1858, the old order was changing, but the change has been very much more rapid since. Machine-made fabrics and tools have largely taken the place of the local manufactures ; and no doubt many thousands of families have lost the trade and the custom their ancestors had enjoyed for generations.'

"The memorandum then went on to point out what could be put in the opposite scale and it said :—

'But this change has not been without compensating advantages. Some of the Indian art industries, such as embroidery, carpet-weaving, and work in silver and gold have experienced the beneficial demand of a growing foreign trade. Agriculture, which always was, and still is, the mainstay of the population, has expanded enormously. Other industries have arisen.'

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[ *Pandit Madan Mohan Malaviya.* ]

“It referred to the growth of cotton mills, jute mills, rice mills and other mills, like flour mills, oil mills, woollen mills, paper mills, pottery works, and the great workshops attached to railways and shipbuilding yards.

“It would be clear from that reference that the Government must recognize that they have never yet done much worth speaking of in the direction of encouraging manufactures. The fact is unfortunately indisputable. In one branch, the Irrigation branch, the achievements of Government stand out eloquent to show what a great and beneficial work has been done there. In the matter of railways also, great credit can rightly be claimed by Government for what has been done; but not so, I am sorry to think, in the field of manufactures. Education and industries go very much together. And as Sir John Hewett, speaking a few years ago, said there was no subject on which more had been written and less done than on the subject of technical education. I regret also to say that there is no subject on which less has been done by the Government than in the direction of promoting indigenous industries. It is a reproach to us, Sir, that while we have enormous natural resources, raw materials which we can and ought to turn into manufactures, we allow those materials to be exported out of the country, to be worked up and utilized by other countries, to their immense benefit and our immense loss. This state of things should soon come to an end.

“In that connection my friend the Hon'ble Sir William Clark has drawn attention to two facts. In the first instance, he has pointed out that there are some parts of India, like Bombay, where there are men of vigour, men of business capacity who have prospered: I wish them more prosperity. But he deplored that in other parts of India people showed a lack of these qualities, and he argued that if there was not an equal degree of industrial progress in other parts, the fault, partly at least, lay with the people. I do not dispute that proposition altogether; but I submit that the blame for this state of things lies largely also on the Government, because Sir, as the history of Japan, which has been referred to again and again, shows, it is technical education, and practical training in business which have to be imparted to the people in order that they should develop qualities of business men and become fit to promote indigenous industries. That has unfortunately not been done. Let us not quarrel with the fact, let us accept it as an unfortunate and sad fact; and let us try to make up for past deficiencies by an honest earnest endeavour to do all that ought to be done in this direction in the future. What is needed is that there should be a larger and more systematic policy of promoting industrial, technical and commercial education. There is very little of it yet to speak of. My friend the Hon'ble Member for Commerce and Industry had better not ask us to go closely into that aspect of the question. Secondly, even without touching the larger questions of fiscal autonomy and protection, there is a great deal which the Government can do in the way of pioneering industries and in other ways pointed out by the Hon'ble Sir Ibrahim Rahimtoola. Japan holds out an excellent example to us. Forty years ago. Japan was in a bad way—much worse, perhaps, than India. In the course of thirty years, by a system of industrial education and by affording every necessary help and encouragement to its nascent industries, in the course of thirty years, Japan has changed the face of its country. Its raw exports have been steadily diminishing; the exports of its manufactured articles have been steadily growing. That has been the history of other countries too. Less than 100 years ago Germany was in the most backward condition, so far as manufacturing industries were concerned. It has in the course of the last 75 years become a great manufacturing country. That has been the history of many other countries. Our first necessity therefore is a recognition by the Government of the need of the insistent need, of providing on a larger scale for a systematic training of our youths in industrial and technical matters, and for giving them that practical training without which business capacities cannot be developed. Our second need is—”

[ *The Vice-President ; Pandit Madan Mohan Malaviya ; Sir Ibrahim Rahimtoola.* ] [ 21ST MARCH, 1916. ]

**The Hon'ble the Vice-President :—**"The Hon'ble Member's time is up now."

**The Hon'ble Pandit Madan Mohan Malaviya :—**"May I finish ?"

**The Hon'ble the Vice-President :—**"I think you have already taken up your time. I must ask the Hon'ble Member to sit down."

**The Hon'ble Pandit Madan Mohan Malaviya :—**"I bow to your ruling, Sir, but with regret."

**The Hon'ble Sir Ibrahim Rahimtoola :—**"Sir, I wish to say a few words in reply. In the first place, I appreciate the courtesy of the Hon'ble Mr. Stewart in pointing out that the whole debate which has taken place has been a waste of time. Sir, the difference between the Hon'ble Member and myself is merely this. He implicitly believes that what a newspaper understands has the force of a Government Resolution published in the Government Gazette. I have not yet acquired that faith in what appears in newspapers in the form which has now become common, that it understands that a certain thing is going to happen. I may tell him, that it has been for the last two years that I have been sending Resolutions on this subject and that they have been disallowed ; that last year a Resolution identically in the same words was sent in to Government and was also disallowed. I may, therefore, lay claim to the fact that my perseverance in giving notices of a Resolution on the subject has promoted the consideration of the question, and has very probably led to the formation of this commission. Sir, I have never said that India is not making industrial progress. What I have contended is, that our progress is not adequate ; that if the Government of India had a free hand and made earnest efforts in the development of industries as other civilized countries have done, our progress would have been enviable. The very fact that we have made substantial industrial progress in certain provinces of India without any direct help from the Government is to my mind proof positive of the fact that our natural advantages are overwhelming, and that, in consequence of such advantages, we have been successful to a certain extent in spite of the serious drawbacks which we have had to work under. I therefore wish to point out that, if we had our Government at the back of the enterprising people in India to the same extent as other civilized countries, then our natural advantages would have led to an enormously greater industrial development than has actually taken place. In support of that view, may I, Sir, once again point out that out of our total imports of 122 millions, 96 millions or 80 per cent. is represented by manufactured goods. Out of our total exports of 162 millions, 81 millions are raw materials which work out to exactly 50 per cent., and that 43 millions are food-stuffs and tobacco, bringing the total of both to about 77 per cent. Now I should like to ask whether any country importing manufactured goods to the extent of 80 per cent. of its total imports and exporting 77 per cent. of raw materials and food-stuffs can by any stretch of imagination be said to be progressing satisfactorily in industrial development ? Sir, it is in order to bring forward the industrial and economic backwardness of this country that I have brought forward the present Resolution at the only time when I am permitted to do so, though I have been making efforts in this direction for the last two years. Sir, I think even the Hon'ble Mr. Stewart will admit that, though a little time of the Council has been spent in the discussion of this question, the very illuminating reply which has been elicited from the Hon'ble Sir William Clark amply compensates for it. Though I do not agree with some of the points made by the Hon'ble Member and to which I intend to refer, I think the Council will agree that the subject was dealt with by him in a masterly manner.

[ 21ST MARCH, 1916. ] [ *Sir Ibrahim Rahimtoola* ]

“ Before I proceed to deal with some of the points made by the Hon’ble Member, I will make a brief reference to what he said in regard to my not following the reply which was given to-day to an interpellation of my Hon’ble friend Mr. Achariar. Sir, may I take this opportunity of pointing out that, under the present system, we find it extremely difficult to hear and to follow the answers read out to us in this hall. If the answer was given this morning, in the terms mentioned, no fault can be found with me in not noticing it because I could not hear it distinctly. In the Bombay Legislative Council we have a different system. The questions and answers are printed and put on the table in front of each member, who can therefore follow the replies when the Secretary calls attention to the number of the interpellation. If some such system was followed in this Council, we would not remain under the present disadvantage.

“ Sir, my attention was drawn to the taxation per unit of population in Japan which is stated to have gone up by more than 125 per cent. I think that furnishes a very strong reason in favour of the view which I have placed before the Council. What India wants is, that her Government should help the people in their efforts towards her economic advancement in order that my Hon’ble friend the Finance Member may have plenty of money to spend. The country would be very willing to pay additional taxation and find means for extended provision for education, sanitation etc., if our economic condition was advanced. Our estimated national income is Rs. 30, as against a minimum estimate of Rs. 700 in England. Let the Government of India help us to raise our national income to even 100 rupees, which is only one-seventh of what it is in England, and let the Finance Member then come and say that he wants more money for the public good, and he will find the then Council ready and willing to give him all the money he wants. Japan has grown economically prosperous and she is willingly submitting to increased taxation. Help us in the same direction, advance our material prosperity, and we will do the same, if not better.

“ Sir, I share the regret which has been expressed by my Hon’ble friends, Mr. Vijiaraghavachariar, Mr. Setalvad and Pandit Madan Mohan Malaviya as to the restricted references which have been decided upon for the consideration of the commission. I should like to point out that it is with the utmost difficulty and after a long time that we have succeeded in prevailing upon the Government of India to appoint a commission such as the present one. I do not think there is any possibility of another commission of a similar character being appointed for many years to come. That being so, it appears to me to be essentially necessary that the references to this commission should be of such a comprehensive nature as to deal fully with the question as a whole. Unless these references are enlarged and made comprehensive, the commission will be obliged to work in a manner which cannot lead to the solution of the problem. The reasons which have been advanced in favour of these restricted references are that at the end of the war the fiscal relations of the members of the British Empire as amongst themselves, and as with their Allies, will be determined. If that is so, it furnishes a very strong reason why this commission, which is appointed to report what measures should be adopted for the purpose of promoting industries in India, should be asked to consider whether fiscal autonomy should be conceded to the Government of India, and whether fiscal protection, as I have carefully put it, only in such cases and for such length of time as may be deemed necessary, is required or not. If these issues are not considered by the commission, the hands of the Government of India will be weakened when these deliberations are undertaken. If these references are made, and if the commission in the course of the inquiry which they will carry out, come to the conclusion that in certain directions fiscal protection is absolutely necessary, then it will strengthen the hands of the Government when this deliberative assembly meets, and will greatly help this country in pressing to obtain what the Dominions have already secured.

“ Sir, I think that, taking it from every point of view, there are strong reasons why the references to this Commission should be of such a comprehensive

[*Sir Ibrahim Rahimtoola ; Sir William Clark.*] [21ST MARCH, 1916.]

nature that the whole question may receive solution, at all events for 10, 15 or 20 years. I should like to appeal to the Government of India once again carefully to consider the matter in view of the unanimous non-official opinion in this Council, and to widen the scope of the references by including fiscal autonomy and fiscal protection amongst them. Sir, I feel that, unless that is done, the result of this inquiry will not prove as satisfactory as we all desire that it should.

"I will only say one word in regard to what fell from my Hon'ble friend Mr Vijiaraghavachariar, because I have only one minute more. He seems to think that a delay of two years would not have mattered. May I tell him with your permission, Mr. President, that the reason why I still renew my appeal to the Government of India to enlarge the scope of these references and allow the whole question to be investigated by a representative commission on the present occasion, is that when the time actually arrives for an Imperial Conference, at which I trust India will be represented on a footing of equality with the Dominions, that our representatives may be able to press, on the strength of the support of such a commission, for full freedom to the Government and complete liberty to apply fiscal protection in such cases and for such time as may be found necessary. Our great aim is that India with the help of her Government shall make a strenuous effort to advance industrially and economically, as rapidly as is reasonably possible without any impediments being placed in her way. With these words I commend my Resolution for acceptance to the Council."

**The Hon'ble Sir William Clark :—**"I Sir, think I ought to make one point clear in view of what has fallen from the Hon'ble Pandit Madan Mohan Malaviya and the Hon'ble Sir Ibrahim Rahimtoola as to the question of whether we can extend the reference to this commission. The Home Government have surely made their position perfectly clear. They say that they feel that the fiscal relations of the Empire within itself and with the outer world must be taken up after the war. They have also made it quite clear that they feel that such questions should not be raised during the war. It is quite impossible for a commission to consider that question without raising these points. It sounds almost an absurdity when it is stated like that. That is the crucial difficulty. I may also point out, although I did not lay stress on this factor before, that it would be extremely difficult to appoint a commission which would be suitable to deal with these purely industrial matters, such as our commission will have to deal with, and which would also be a suitable body to revise the constitutional relationship between the Secretary of State and the Government of India. Such a revision would have to be conducted to a very large extent in England. The Hon'ble Sir Ibrahim Rahimtoola says that we shall not get another Commission for 15 or 20 years, and therefore he wants the reference to this one to be as wide as possible. If a commission were really appointed to consider all the subjects which he wants it to consider, I think it might very easily be sitting 15 or 20 years hence, and what we want now is to see an immediate practical advance made with this important question."

The motion was put and agreed to.

The Council adjourned to Wednesday, the 22nd March, 1916.

A P MUDDIMAN,

*Secretary to the Government of India,  
Legislative Department.*

DELHI :

*The 30th March, 1916.*



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

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PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

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The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Wednesday, the 22nd March, 1916.

PRESENT :

The Hon'ble SIR WILLIAM CLARK, K.C.S.I., C.M.G., *Vice-President, presiding,*  
and 56 Members, of whom 50 were Additional Members.

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**RESOLUTION *RE* TRANSFER OF CONTROL OF THE  
CALCUTTA UNIVERSITY.**

**The Hon'ble Mr. Surendra Nath Banerjee :—**“Sir, I have the honour to move the following Resolution which stands against my name, namely :—

‘That this Council recommends to the Governor General in Council to consider the advisability of placing the University of Calcutta on the same footing with the Universities of Madras and Bombay in respect of the relations between the Calcutta University and the head of the Local Government for purposes of administration and control.’

“Sir, under the provisions of the Indian Universities Act of 1904, His Excellency the Viceroy is the Chancellor of the Calcutta University, and large powers of control are vested in the Government of India. To us, who are graduates of the Calcutta University, it is a matter of pride and honour that His Excellency Lord Hardinge should be the head of our University, and speaking for myself, I will say this, that but for the approaching retirement of His Excellency, I for one would not have brought forward this Resolution. Speaking as Chancellor of the University of Calcutta at the Convocation held on the 15th March, 1915, His Excellency was pleased to observe that his position

[ *Mr. Surendra Nath Banerjee.* ] [ 22ND MARCH, 1916. ]

as Chancellor of the University brought him in direct contact with the student community of India. In them and in their welfare, Lord, Hardinge has always felt a keen and abiding interest. We cannot forget the incognito visit which His Excellency paid to some hostels in Calcutta, with a view to ascertaining for himself, after personal examination, the conditions under which the students lived in those hostels. Sir, nothing so powerfully appeals to the imagination of an Oriental people as when a ruler conceals his personality when doing good ; and the memory of this visit will long remain an abiding possession with the student community of Calcutta. Lord Hardinge has always been a generous patron of the Calcutta University. The Government of India have paid a sum of over 42 lakhs of rupees for our hostels, besides other grants, the capitalised valuation of which would amount to about 36½ lakhs. Sir, I feel it my duty to make this public statement as some acknowledgment, however inadequate, of the obligation which we are under to our retiring Chancellor.

“ Sir, my Resolution has a constitutional bearing, and it is intimately connected with the raising of the status of our Province to that of a Presidency Government. Bengal was made a Presidency Government by the Royal Proclamation of the 12th December, 1911. A part of that proclamation was embodied in a Parliamentary Statute in January, 1912—Statute 2 & 3 Geo. V, Chapter 6. I will read the first clause of the Statute, which is pertinent to the Resolution now under discussion, Clause 1 says:—

‘It is hereby declared that the Governor and Governor in Council of the Presidency of Fort William in Bengal shall, within that Presidency as so delimited as aforesaid, have all the rights, duties, functions and immunities which the Governors and Governors in Council of the Presidencies of Fort St. George and Bombay, respectively, possess, and all enactments relating to the Governors of those Presidencies, etc., etc.’

“ Now, this is the important part :

‘Provided that, if the Governor General in Council reserves to himself any powers now exercisable by him in relation to the Presidency of Fort William in Bengal, those powers shall continue to be exercisable by the Governor General in Council in the like manner and to the like extent as heretofore.’

“ Therefore, Sir, it is obvious that, under the provisions of this Statute, the Governor of Bengal is placed exactly on the same footing with the Governors of Madras and Bombay, save and except in respect of certain powers and functions which are reserved to the Governor General in Council, and which at the time were being exercised by him. Those powers and functions are two in number: (1) authority to fill temporary vacancies on the Bench of the Calcutta High Court, and (2) authority as Chancellor of the Calcutta University. Lord Crewe was then Secretary of State, and when introducing this Bill he made certain observations which, with the permission of the Council, I will read as bearing upon this particular proviso. I am quoting from Hansard. He said—

‘I now come to the clauses of the Bill. The first clause (that is the clause I have just read) declares that the Governor of Bengal should have all the rights, duties and functions which the Governors of Madras and Bombay possess. The effect of the clause is to give the Governor of Bengal these extra powers given by the later enactments under which power was taken to apply to any new Presidency the powers which the Governors of the other Presidencies possess. Then, the House will observe—this is the important part—that two provisions are attached to this first clause. These provisions depend upon the fact that the powers of the Calcutta High Court are not, as matters stand, curtailed although the area of Bengal is changed and a new Lieutenant-Governorship is created. The power which is pointed to in proviso (a) is this: that the High Courts Act of 1871 gives the Governor General in Council power to appoint temporary Judges to the High Court of Calcutta.’

“ Nothing is said about the Calcutta University, for the simple reason that the same grounds apply. The size of the Province of Bengal was curtailed, but the jurisdiction of the Calcutta University remained the same as before, extending over the new Province of Bihar and Orissa, over Burma and Assam. It was not thought desirable at the time that a local Governor should exercise authority over areas outside his territorial limits. The same

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[ *Mr. Surendra Nath Banerjee.* ]

objection, of course, would not apply to the Governor General in Council. The Governor of Bengal, who succeeded the Lieutenant-Governor of Bengal, stepped into his position as Rector of the Calcutta University. That is a new office altogether in connection with the Calcutta University, which does not exist in any other University. The powers and functions of the Rector are defined in section 28 of the Universities Act. Clause 1 says that the Rector shall take precedence at Convocations next after the Chancellor, but before the Vice-Chancellor. Clause 2 says that the Chancellor may delegate all or any of his powers to the Rector. Sir, I do not know whether any powers have been delegated. My own impression is that they have not been; but I should like to be corrected if necessary. This I do know as a matter of fact, that from time to time in reference to important considerations, the opinions of the Rector are invited by the Government of India. These opinions—I am not a lawyer, but I venture to think that I am right in making the observation—these opinions have no statutory force, but they have a moral value, as coming from the Governor of a great Province and a Governor of such great popularity and one held in such high esteem and regard as Lord Carmichael.

“ Sir, I have dwelt upon the constitutional aspect of this question in order to indicate that the conditions which led to the acceptance of the constitution at that time are now in process of change and transformation. I take it, Sir, that the new province of Bihar and Orissa will soon have a University of its own. I presume that the Bill is nearly ready; and with Sir Harcourt Butler, our ex-Education Minister, as Lieutenant-Governor of Burma, I take it that within a measureable distance of time, Burma too will have a University suited to its own requirements. Sir, the Governor or the Lieutenant-Governor of every province in India is the Chancellor of the University belonging to that province. Why should an exception be made in the case of Bengal? I urge this proposition, not indeed on the ground of administrative symmetry. Administrative anomalies may and do exist, and they are tolerated so long as no inconvenience is caused, no injustice is perpetrated; but I rest my case upon far higher grounds. My submission is this, that the University system of a province should be in direct touch with and controlled by the public opinion of that province, and for this purpose the head of the Government should be the Chancellor of the University. Sir, I look forward to a time—it will not perhaps be within our life-time, it may be a dream, but many of our dreams have become realities—when the Chancellors and Vice-Chancellors of our Universities will be elected by the members of those Universities, and I think we who are here working for the future, may prepare the ground for this consummation. I do not indeed place my Resolution upon that exalted basis. But I give expression to a suggestion which occurs to me as I am speaking upon this matter. Sir, the Government of India, when it was located in Calcutta, was in direct touch with the sources of local public opinion; but that is not and cannot be the case now. I will say this, that I can conceive of no possible objection to the acceptance of my proposition except this, that the Governor of Bengal as Chancellor of our University may exercise authority over areas outside his jurisdiction. I ask, are there not Governors and Lieutenant-Governors who are doing that now? The Lieutenant-Governor of the United Provinces is the Chancellor of the Allahabad University, and as such he exercises authority over affiliated institutions in the Central Provinces and in Ajmer, which are distinct and separate administrative units. Take another case, which is even more pertinent and apposite. The Governor of Madras as Chancellor of the University exercises authority over affiliated institutions in Ceylon, which is not a part of the Government of India, and is not even subject to the jurisdiction of the Secretary of State for India. Yet, Sir, no catastrophe, no cataclysm has occurred. The authorities in Ceylon have not complained of the curtailment of their power or of the loss of their dignity. Educated Ceylon goes to sleep without any perturbation of conscience or loss of self-respect. In view of these cases, may I not ask those who are opposed to this proposition to re-consider their views in the light of the facts to which I have referred? But,

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Sir, I desire to place my case upon a still higher ground. We have been promised provincial autonomy by the great Despatch of the 25th August, 1911. Attempts have been made to whittle down the significance of that message. What has been written, however, cannot be unwritten, *scriptum manet* ; and we as the representatives of the people will see to it that this beneficent message is redeemed in the fulness of time. Provincial autonomy is bound to come sooner or later. I hope it will come in the train of those political readjustments that are inevitable after the war. Provincial autonomy, if it means anything, means this, that each province should be self-contained, self-dependent, self-governing. If my Resolution is accepted and given effect to, it will be a distinct step towards the fulfilment of the pledge which is contained in the Despatch of the 25th August, 1911, and which will for ever be associated in the annals of Indian administration with the name and fame of Lord Hardinge. Sir, it does not seem to me that it is necessary that there should be immediate legislation upon this point, if my proposition is accepted. The Chancellor may delegate his powers, under the section to which I have referred, to the Rector. The Rector, without the name, will then become the *de facto* Chancellor. The experiment may be tried ; and if it is found successful, legislation may be undertaken afterwards. My proposition is an exceedingly moderate one. All that I ask the Government to do, is not to jump to a conclusion or to come to a finding with regard to the great issues which I suggest. All that I ask the Government of India to do, is to consider—mind you, nothing more than to consider—the advisability of carrying out a reform which will make the head of the Local Government the responsible head of the University. I do not want that my Hon'ble friend should get up in his place and say ' we are not in a position to accept that proposition, and we cannot make Lord Carmichael at once Chancellor of the University. ' I do not want that. I want you to consider the proposition. I want you to consider it from the standpoint which I have suggested, in the light of the facts which I have mentioned. I want you also in justice to those who are opposed to me, to consider the objections that may be raised. I do not think that any proposition can be more modest, or more reasonable, and therefore it is with some confidence that I submit this Resolution for the acceptance of the Council."

**The Hon'ble Mr. Dadabhoy :—**" Sir, I have not the slightest desire to oppose this Resolution. But, in my opinion, the Council should carefully weigh certain relevant facts. At present, besides Bengal, Bihar, Assam and Burma are served by the Calcutta University. So long as that University is under the direct control of the Government of India, Bihar, Assam and Burma have no cause to complain. But if that control is taken away and the University is placed under the direct control of the Government of Bengal, those provinces may have a just cause for complaint. This question of the Calcutta University being placed under the direct control of the Government of Bengal would not have arisen had the Capital not been transferred to Delhi ; but it is curious that after the Durbar announcement, the then Vice-Chancellor, Sir Ashutosh Mukherjee, emphasised the point in his Convocation address with evident satisfaction that the Calcutta University would still be connected with the Government of India, and that His Excellency the Viceroy would continue to be the Chancellor. I need not apologise for reading a passage from Sir Ashutosh Mukherjee's celebrated Convocation speech. He said :

' Gentlemen, at the beginning of my speech, I referred to a kind of crisis in the affairs of our University. We are all conscious, conscious not without deep regret, that this crisis is indeed not confined to the academic precincts. Great changes are accomplishing themselves which affect the life of our whole province. Bengal has been for more than a century the leading province of India ; Calcutta has been the capital, in name no less than in fact, of a great Empire ; and now these high distinctions are all at once passing away from us. Calcutta, Bengal are discrowned and cannot help feeling desolate. The gloom of grievous bereavement lies heavy on our minds ; we feel like men who have ' fallen from their high estate. ' The changes which

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we somehow cannot help deploring may indeed ultimately be fraught with good to the general; . . . . in fact we hope and trust that this will be so; but this reflection on the good of the whole naturally is but cold comfort to that part which is called upon to pay the price. Our University—to return to what concerns us most nearly—loses the distinction it has enjoyed for so long a time as the University of the capital city of India. We only trust that the privilege to have our gracious Viceroy as the Chancellor of our University will be preserved to us. But in any case he will no longer reside in our midst, and highly prized opportunities of confiding to him direct our needs and wishes will be taken away from us... .’

**The Hon’ble Mr. Surendra Nath Banerjee :—**“ What is the date of the speech ?”

**The Hon’ble Mr. Dadabhoy :—**“ 1912. I have not finished the quotation. Now comes the most important passage —

‘ The University has in the past been indebted to its benevolent Chancellors for so much that we naturally view the possibility of severance, even the possibility of weakening of the customary bond with distress and apprehension. In addition, as misfortune never comes single, it appears likely that before long the jurisdiction of the University may be contracted very considerably; and a large section of the members of the University apprehend that this may mean to us loss of prestige, (and such loss is no light matter), loss of influence loss of income, and with it loss of power to do good work. It is an irony of fate that all this happens to us just at a moment when we held ourselves justified in looking back with some pride and satisfaction on the work accomplished in the immediate past ’

“ Apparently the Vice-Chancellor reflected on that occasion the Bengal public opinion. Since then nothing exceptionally serious has happened to discount the advantages referred to by Sir Ashutosh. We have not found so far any expressed desire on the part of Bengal for a change in the administrative control and status of the University. The only act of serious interference on the part of the Government of India since the transfer of the Capital to Delhi was the requisition made by that Government sometime ago for the dismissal of three University lecturers for political reasons. Even if the Government of India ceased to have any direct connection with the Calcutta University, and it was found that certain lecturers were undesirable, it would be easy for that Government to secure their dismissal through the Government of Bengal. The advantage to Bengal from the suggested change is not therefore clear.

“ Sir, my Hon’ble friend has remarked that things are now in a process of change and transformation, and all what we ask is that the matter may be closely inquired into by the Government of India. Surely there can be no objection to such a modest request. I hope that the Government will see its way to accept this Resolution, and ascertain whether the Governments of Bihar and Orissa, Assam and Burma would like the proposed change, or whether they would prefer to remain under the existing arrangements.”

**The Hon’ble Lieutenant-Colonel Gurdon :—**“ Sir, speaking from our point of view in Assam, it is impossible not to regard the Hon’ble Mr. Banerjee’s Resolution except with feelings of considerable apprehension. I would venture to submit that so long as the University of Calcutta ministers to the needs of more than one Province, it cannot safely, with due regard to the interests of the other Provinces, be brought under a single Provincial Government. The University of Calcutta, assuming that it is Calcutta under control as well as in name, must be governed always by the interests of Calcutta, which obviously cannot always coincide with the interests of a frontier Province like Assam, with its peculiar tribes and peoples, both of the hills as well as of the plains, many of which differ so greatly, both in languages and customs, from the inhabitants of Bengal. What can the professional men of Calcutta, who form the majority of the University Syndicate, know or care of the interests of Assam? We may be quite sure that occasion for conflict would not be infrequent, and that when it arose, we should find it difficult to obtain a hearing. With the Government of India, however, as the controlling authority, our interests are safe.

# RESOLUTION *RE* TRANSFER OF CONTROL OF THE CALCUTTA UNIVERSITY.

[ *Lieut.-Col. Gurdon ; Mr. Setalvad* ]

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"I can quite understand the position of the Bengali who does not see why he should not have a University of his own. We, in Assam, would like to have a University of our own when the time comes — but there is no reason why the Bengali should be allowed to interfere with existing rights and to claim exclusive control of the University which was founded more than half a century ago for the 'Presidency of Fort William in Bengal and other parts of India,' and which has by later orders or enactments, been given the Provinces of Bihar and Orissa, Burma, and Assam, as well as Bengal, in which to exercise the powers which have been conferred upon it. I spoke of 'existing rights.' The rights referred to are the powers which are conferred upon the Government of India by the Act of Incorporation, the Indian Universities Act (Act VIII of 1904), the Regulations, and the powers conferred by the University Act of 1904 on the Chancellor, in which Assam, as a coparcener in this University with the Province of Bengal and other parts of India, is materially interested. I would refer, in particular, to section 25 of the Indian Universities Act which lays down that the Senate, with the sanction of the Government (*i.e.*, the Government of India) may, from time to time, make regulations consistent with the Act of Incorporation, as amended by the Universities Act, and with the University Act to provide for matters relating to the University. The present regulations for examination, according to the Matriculation, Intermediate Arts, and B. A. standard, provide for papers in composition in certain vernacular languages which include Assamese and certain other languages. It is a matter of the greatest importance to us in Assam that these examination rules should not be altered without our consent. Under the existing law no alterations in the regulations can be made without the sanction of the Government of India, and under existing circumstances, no alterations would, I venture to think, be made by that body without obtaining the views of the Chief Commissioner of Assam. Should the control of the Government of India in respect of sanctioning regulations be withdrawn, what guarantee have we that no alterations would be made in the regulations without our consent being previously obtained?

"Burma and Bihar are contemplating Universities of their own; Assam, in process of time, will adopt a similar course. When that happens, Bengal may be safely left, I venture to think, so far as we are concerned, to manage the University of Calcutta, which will then have no authority in Assam.

"In conclusion, Sir, although there would seem to be good grounds for not disturbing, on the lines indicated by the Hon'ble Mr. Banerjee, the existing state of things as regards the University, I can only submit that should it be decided to undertake the inquiry suggested in the Resolution, Assam interests may be very carefully considered before a decision is arrived at."

**The Hon'ble Mr. Setalvad:**—"Sir, as one connected with the active, day by day work of the Bombay University for many years, I have followed this debate with great interest. My Hon'ble friend Mr. Banerjee has pleaded for the transference of the control of the Calcutta University from the Government of India to the Government of Bengal. When I saw the Resolution on the Agenda paper, I expected to hear from my Hon'ble friend the reasons why he wants this transfer. I hoped to hear from him of the inconvenience felt by the Calcutta University and the disadvantages suffered by it by being controlled by the Government of India. I also expected to hear of the advantages that he hoped the Calcutta University would derive by having the control transferred to the Government of Bengal. But in his eloquent speech I have searched in vain for these reasons. He has told us that the Bombay and Madras Universities are controlled by the Local Governments, and he pleaded that the same should be the state of things with regard to the Calcutta University. May I tell my Hon'ble friend that there have been occasions in the history of the Bombay University when we wished that the control of the University rested with the Government of India, and not with the Government of Bombay.

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[ *Mr. Setalvad* ]

“ My Hon'ble friend wishes that the Bombay model should be followed. I suppose, Sir, in each case it is the distance that lends enchantment, for I can tell my Hon'ble friend really and truly that there have been occasions in the history of the Bombay University when we have wished that we had less of provincial control over us ; and I will illustrate what I mean.

“ In the year 1910-11, we were surprised in the University one day to find several letters addressed to us by the Bombay Government, suggesting to us that the University should undertake various changes in its courses of study and various other matters. That was the first occasion in the history of the Bombay University when we had such direct interference in its affairs by the Bombay Government. One of the suggestions made by the Bombay Government was that English History, which till then formed a compulsory subject in the B. A. course, ought to be abolished. The matter was discussed at great length and debated in the University, and the overwhelming opinion was in favour of the retention of English History in the B. A. course. After long debates, a conclusion was arrived at, in which the Director of Public Instruction concurred, that English History should be retained in the B. A. course. I may say that the resolution was arrived at with only one dissentient in the whole Senate. But when that resolution went up to the Local Government for confirmation under the Regulations, what happened ? The Bombay Government were quite prepared to set aside the unanimous vote of the Senate, and, not satisfied with the reasons which prompted the Senate to retain English History in the B. A. course, they absolutely ordered the Director of Public Instruction to bring forward a resolution in the Senate reversing that unanimous decision of the Senate and to abolish English History from the B. A. course and the poor Director of Public Instruction, whatever his personal views were about the matter, was obliged to obey that mandate. The resolution was moved by the Director of Public Instruction in pursuance of that mandate, and furthermore all Government officials who were members of the Senate were officially told—a written whip was sent round to them—to go to the Senate meeting that day when that resolution came up, and to vote in favour of the motion of the Director of Public Instruction. This was openly mentioned at the meeting of the Senate on that occasion and could not be denied. With all this whipping, with all this interference, the result was no doubt that they gained their proposition and the resolution was passed ; but even then they were able to pass it with a majority of 4. I am saying this for the purpose of showing how the sentiments and the feelings of the Senate must have been against that proposition which was forced on them by Government in that manner. However, the Local Government's view prevailed against the almost unanimous opinion of the Senate in the matter, and so in Bombay English History is still eliminated from the B. A. course although the whole Senate is still of the same opinion. I hope and expect, however, that very soon the matter will come up again for discussion.

“ I am putting this as an illustration before my Hon'ble friend so that he may consider whether, in advocating the transfer of control from the Government of India to the Bengal Government, he may not be jumping from the frying pan into the fire. Because, with provincial control you will get local official prejudice, and it is local official prejudice that would come into play more than local public opinion if you have the Local Government controlling the Calcutta University ; whereas, the Government of India, being isolated and detached from local prejudices, are very often, to my mind, able to take a larger view of things than Local Governments can. Therefore, I beseech my Hon'ble friend to consider whether it is really wise to ask for this change in which he may go further and fare worse.

“ To my mind, Sir, the real remedy for the evils of the present University system lies entirely in another direction, and that remedy is one, I venture to submit, that ought in course of time—I think very soon—to be applied to all Indian Universities. What is really needed is, that the Universities should be put more under popular control than they are now ; that the

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control of Government, either the Provincial Government or the Government of India, should be removed as far as possible, and that the Senate should be really made a popular body. When I speak of a popular body, I do not mean that it should be popular in the sense of other assemblies. No doubt you have to secure on the Senate the presence of educationists, professors, teachers, and people of that class; but just consider what the present constitution of the Senates is. You have the Senate composed of 100 members, of whom 80 are nominated by Government, a further 10 are allowed to be co-opted by the 80 people so nominated by Government, and only 10 are left for election by graduates. When the University was first established in 1857, it was all right in those days when education had not progressed in the country and there was nothing else possible but that Government should nominate all the members of the Senate: but what a confession it is that even after 58 years, although rapid strides have been made in education, you still allow 10 people out of a Senate of 100 to be elected by the graduates of the Universities whom you have turned out by this time in thousands. To my mind, Sir, the time has now arrived when a larger proportion of elected members—"

**The Hon'ble the Vice-President:**—"The Hon'ble Member is wandering a good deal from the point. We are discussing the eventual control of the Calcutta University."

**The Hon'ble Mr. Setalvad:**—"I am pointing out that the remedy for the present unsatisfactory state of the Calcutta University does not lie in the change the Hon'ble Mr. Surendra Nath Banerjee is advocating, but in the direction which I am trying to show."

**The Hon'ble the Vice-President:**—"The Hon'ble Member is wandering from the point"

**The Hon'ble Mr. Setalvad.**—"I won't elaborate it, but what I wish to point out is that the real remedy lies in the direction that I have indicated and not in asking for one control to be substituted for another. The real remedy is to free the Universities from Government control, whether Provincial or Imperial, make them more amenable to popular control, popular in the sense I have indicated. Therefore, Sir, one is not quite sure of the wisdom of the change which my Hon'ble friend is advocating. However, as he has said, all that he is asking for is consideration of the matter by the Government of India. Of course there cannot be any objection to the consideration of any matter at all; but, as I have indicated, it is a matter which is beset by many difficulties; it is a matter which requires to be very carefully considered before any conclusion can be arrived at; and if the matter is to be considered by the Government of India, I do hope and trust that all the objections raised by Burma and Assam, and the various objections that I have pointed out, will be carefully considered."

**The Hon'ble Mr. Arbuthnot.**—"Sir, it is a matter of some regret to me that in this matter I find myself compelled to oppose to some extent my Hon'ble friend Mr Banerjee in a matter which he evidently has so very much at heart. Not, indeed, that I desire to oppose the Resolution itself. The Resolution is couched in terms which are most persuasively moderate. All he asks is that the Council should recommend to Government the consideration of the advisability of taking certain action in regard to the administration and control of the Calcutta University."

"It is difficult to object to a Resolution couched in such studiously moderate language and of such strictly limited scope. But it was clear from the speech of my Hon'ble friend that he hopes that the very small seed he is planting now will at no distant date bear fruit, and with that unfailing enthusiasm which is

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[*Mr. Arbuthnot; Maharaja Ranajit Sinha of Nashipur.*]

so characteristic of him, he hopes that the mere consideration of the question will lead to action being taken at once in the direction which he desires. He hopes that the Council having recommended Government of India will at once proceed to consider, and having considered, they will immediately be convinced, that being convinced, they will without delay, with all the zeal of fresh converts, proceed to take action on their newly formed conviction. But, Sir, it is just in regard to this that I desire to enter a caveat, or perhaps to phrase it more correctly, invoke a moratorium. Sir, as Mr Banerjee has already pointed out to this Council, the Province of Burma, in spite of her size and her importance as one of the major Provinces of the Indian Empire, has no University of her own, and is in all matters connected with University education, under the control of the Calcutta University. We are in hopes that this anomaly will, at no distant date, be rectified. The matter has for some time been under consideration, and I am instructed to say that detailed proposals for the establishment of a University at Rangoon will shortly be submitted to the Government of India. The Government of Burma, and the Educational Syndicate, which is a representative body consisting of officials and non-officials, of which I myself have the honour to be a member, and which advises the Local Government on all matters connected with higher education, and also public opinion in Burma attach supreme importance to the establishment of a University for Burma at Rangoon at the earliest possible opportunity. Detailed proposals, which have been drawn up by the Director of Public Instruction, in consultation with the Educational Syndicate and also, I understand, in communication with my Hon'ble friend Mr. Sharp, will, as I have already said, very shortly be submitted for the sanction of the Government of India and the Secretary of State, and Sir Harcourt Butler hopes, and I hope (and I trust that on this matter we shall not be found to be unduly optimistic) that it will be found possible to introduce the necessary legislation in this Council in the Autumn Session of the current year, and that thereafter the necessary Bill which will of course be entirely non-contentious will be passed into law at the earliest possible opportunity. If this is done, we are in hopes that we may have our University in working order in about two years from the present date. But, Sir, I submit that it would cause very great embarrassment and confusion if, while our University were in the making and before it was in thorough working order, any change were made in the existing arrangements.

"I must further add that public opinion in Burma would be extremely hostile to the submission of matters connected with University education in Burma to any Government except the Government of Burma or the Government of India. I trust that in this matter my remarks will not be misconstrued, and that I shall not be taken to imply anything in any way derogatory to the Government of Bengal or its present distinguished head. But I think this Council will readily sympathise with our view that the interests of Burma, and that the point of view of Burma are more likely to receive sympathetic treatment and careful consideration from the Government of India whose angle of vision must necessarily be wider than that of any Local Government, and which is also untrammelled by local and occasionally selfish interests.

"For these reasons, Sir, I would express the hope that, if this Resolution is accepted, it will be found possible to give an assurance that no change will be made in existing arrangements until Burma has a University of her own and ceases to be dependent in matters connected with University education on the Calcutta University."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur :—**

"Sir, I beg to associate myself with the Resolution moved by my Hon'ble friend on the right. Undoubtedly it is a great honour for the Calcutta University to be associated with the Government of India with the Viceroy as her Chancellor, but, Sir, at the same time it is desirable that the Chancellor should be in touch with the University and the people interested or connected

[*Maharaja Ranajit Sinha of Nashipur; Rai Sitanath Ray Bahadur; Maharaja Sir Manindra Chandra Nandy of Kasimbazar.*] [22ND MARCH, 1916.]

with it. At present we have the privilege of having a Chancellor who spent two winters in Calcutta and who came in contact with all the persons interested in the University, and had been able to discuss with them as to her needs and aspirations, but, in future, the Government of India being situated at a long distance from Calcutta, I am afraid the Chancellors will have but little opportunity of coming in contact with the people of the Calcutta University and discussing with them any matters educational. But at the same time I recognise the objection raised by the people of different Provinces that whereas the Calcutta University exercises jurisdiction to places beyond Bengal, this should not be placed under the Local Government, so I endorse the suggestion made by my Hon'ble friend that certain duties of the Chancellor may be delegated to the Rector, I mean His Excellency the Governor of Bengal, subject to general control which may be exercised by the Government of India from time to time. I think there is no harm in accepting that view of the question. Further, it appears that the Allahabad University is still exercising jurisdiction over such parts where the Local Government has no jurisdiction, and such is the case in Madras also. So I hope the suggestion made by me will commend itself to the Council. For the present, my friend has only asked that the matter may be considered by the Government of India, whether it is desirable to do so, and as such I think there can be no objection to the Resolution being accepted by the Council."

**The Hon'ble Rai Sitanath Ray Bahadur:**—"Sir, in my opinion, the Resolution is an exceedingly modest one. If my Hon'ble friend Mr. Banerjee had asked that immediate action should be taken to transfer the Chancellorship of the Calcutta University to the Governor of Bengal, then I would have opposed it. All he has asked for, is that public opinion, the opinion of the Bengal educated community and different public bodies should be invited to see whether it is desirable or not that the head of the Bengal Government should be the Chancellor of the Calcutta University. I welcome the friendly remarks of my Hon'ble friend Mr. Setalvad, but I could not understand the captious criticism which was made by my Hon'ble friend from the Central Provinces. He does not feel uncomfortable on account of his Province having been placed under the University of Allahabad, but he is very sorry that Burma and Assam should be absolutely placed under the control of the Calcutta University. To that my reply is that Burma is going to have a University of its own, so that my friend need not be disconsolate on that account. The only province which will have a grievance is Assam, but that I may say is a minor province, and there cannot be any conflict of interests between Assam and Bengal. However, the Hon'ble Mover does not ask that immediate action should be taken; all that he asks for is that the opinion of the educated public, of the different public bodies and of the Calcutta University should be invited in order to see whether the change is desirable or not from the point of view of Bengal. I, therefore, beg to support the Resolution of my Hon'ble friend."

**The Hon'ble Maharaja Sir Manindra Chandra Nandi of Kasimbazar:**—"Sir, I beg to support this Resolution. So long as the seat of the Government of India remained in Calcutta, it was eminently desirable that the University of Calcutta should remain under the direct control of the Supreme Government. After however the transfer of the Capital from Calcutta to Delhi, the Presidency of Bengal has been placed on the same footing as the sister Presidencies of Madras and Bombay, and it stands to reason that the University of Calcutta should be placed on the same level as the Universities of Madras and Bombay as regards control and administration. The affairs of all Indian Universities are subject to the supervision of the Government of India, and the University of Calcutta should be placed in the same position."

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[*Maung Bah Too; Rai Ghanasyam Barua Bahadur.*]

**The Hon'ble Maung Bah Too :—**“ Sir, on behalf of the people of Burma I desire to oppose this motion. We are in hopes that we will in the course of two or three years have the fulfilment of one of our earnest desires and have a University of our own at Rangoon. But meanwhile Burma, in matters of University education, is dependent on the Calcutta University, and so long as Burma is in any way connected with the Calcutta University, the Burman people would very strongly resent any change, which would place the control of that University under the Government of Bengal, instead of under the Government of India. If the Resolution is accepted, I trust that an assurance will be given to us in Burma that no change will be made, until Burma has a University of her own.”

**The Hon'ble Rai Ghanasyam Barua Bahadur :—**“ Sir, it may easily be conceded that the privilege aimed at by the Resolution may be looked upon as only a legitimate aspiration of the Presidency of Bengal, as it desires nothing more than what her sister Presidencies have already been enjoying. My Hon'ble friend the Mover, however, no doubt sees the distinctive feature of the Calcutta University in the fact that by the Act of Incorporation it was made the University for the Presidency of Fort William in Bengal and other parts of India, and that it still continues to be the University for four different Provinces including Bengal. Its position in this respect is superior to the other Universities and its responsibilities greater. I should think its dignity is also higher though the Hon'ble Mover does not seem to think much of it; but it is strange that my Hon'ble friend's views are at entire variance with the views which have been just read out by the Hon'ble Mr. Dadabhoy, of the distinguished Bengali Vice-Chancellor, one of the greatest educationists of the day, Sir Asutosh Mukerjee on this point. My Hon'ble friend is anxious to have the whole thing governed by his own Province. This is only in keeping with the principle of Provincial autonomy which he so much advocates; and as a sentiment of Provincial patriotism, if I may so call it, nobody should have reason to find fault with his desire. He has brought in the example of the Central Provinces and its relation to the Allahabad University in support of his claim, and he thinks that Bengal, in connection with the other Provinces which are dependent upon the Calcutta University, will not be in any other position than what the University of Allahabad already is in connection with the Central Provinces. I do not know what the relations between the Allahabad University and the Central Provinces have been in the past, but I have no doubt conflicts must have arisen, and if I am rightly informed, I have reason to believe that the Government had at times to take vigorous steps to mitigate occasional misunderstandings and to adjust the relations between the two Provinces in the matter of University education. I do not at all mean to suggest that the Government of Bengal will lack in the power of efficiently governing the University or equitably adjusting its relations with the other Provinces. Nor do I mean to suggest that the august body, known as the Calcutta University, will ever be consciously unjust or unfair in any matter whatsoever. But who is to act as the arbiter when there are honest differences of opinion between the Government of Bengal and any of the other Provincial Governments concerned? Provincial Governments are at their best; only Provincial Governments and their own interests as disclosed by local public opinion, on which my Hon'ble friend rightly lays so much stress, and often greatly swayed by it, will always be and are bound to be their first concern; besides, local opinion as to any matter in difference is not unlikely to carry conviction. From our past experience I hope I shall be excused if I say that Bengal public opinion and the measures adopted by the Bengal Government are sometimes found to be at variance with the opinion and interests of her less favoured neighbours. Let me cite an instance in the case of my own Province in a matter closely connected with education, *viz.*, the recognition of the Assamese language as a separate language and the advancement of

[ *Rai Ghanasyam Barua Bahadur* ] [ 22ND MARCH, 1916. ]

education in Assam with the aid of its own vernacular. As Hon'ble Members are aware Assam was under the Government of Bengal for a long time after its annexation to the British Raj. For administrative convenience of its own the Government of Bengal imported a large number of Bengali clerks and subordinate officers into the Province. At the beginning of the administration Assamese was recognised as the language of the Courts; but Bengali soon succeeded in driving it out and taking its place in the Courts and schools. Bengali clerks and officers then began to pour in to fill more and more posts in the administration, and the Assamese became ousted from all important positions. Education found its progress impossible, and the second grade college which was established at Gauhati had ultimately to be abolished instead of being raised to a higher status. The Assamese leaders of the day and some benevolent American missionaries who had studied the people and the language for 20 years made a protest as clear and strong as possible from the beginning and formally moved the Bengal Government in 1854 saying that incalculable mischief was and would be done to the people of Assam, and that their educational and material progress would greatly suffer by this unnatural process. But the Government of Bengal instead of yielding to popular clamour thought rather of putting themselves on their defence, and it was after a long struggle of close on 20 years that in 1871 they were convinced of their mistake, and Sir George Campbell, the then Lieutenant-Governor of Bengal, ordered the Assamese language to be reinstated in the Courts and primary schools. Bengali, however, continued in the middle and high schools down to the time of Sir Henry Cotton, when Assamese began to be taught in the Dibrugarh middle school in 1898. From that time it has been gradually introduced into all the schools of the Assam Valley, with the exception of certain schools of the Goalpara district. At last recognition was granted by the University of Calcutta which allowed its inclusion in its list of vernaculars both for Matriculation and degree examinations.

"Bengali has thus had the advantage of being for nearly half a century the only officially recognised language in the Assam Valley, and for nearly three-quarters of a century the only medium of instruction in all but village schools. That this state of things must have had a disastrous effect upon the language and its literature is evident. Assamese had to fight for its very existence. It would have been lamentable had the fight ended otherwise. A people who had developed themselves on lines of their own, whose literature had characteristics distinct as their own individuality, would have been generally crushed down into 'hewers of wood and drawers of water.' There was therefore much more at stake than the mere recognition or non-recognition in official circles of a particular language. The future of a whole race was in question. Now of course the language has been fairly and finally settled, though the disastrous effects of the mistaken policy pursued for so long a time are still visible on every side we turn our eyes in Assam, and will continue to do so for a long time yet. I have dwelt at some length on the point only to show how a single mistake or difference of opinion may have far-reaching effects on the destinies of a whole race.

"Now, Sir, one word about public opinion in Bengal. It has a great respect for its own cherished views whatever the world may have to say against them. Even on this Assamese language question which was set at rest after thorough discussion extending over half a century and more, a leading Bengali journal had in its columns the following so late as the 20th December last:—

'Unfortunately, however, there is a tendency on the part of our bureaucratic Government to create new languages where there are none, and to raise each petty dialect to the dignity of a language. Thus, Assamese, which is undoubtedly a dialectic variation of Bengali, has been made into a separate language, chiefly, we believe, under the advice and influence of some Christian Missionaries. There are some foolish and misguided people whose local vanity is gratified by this kind of thing; but still it must be said that the tendency to multiply dialectic differences and to raise dialects to the rank of languages is against the true interests of civilisation and progress.'

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“Comment on this effusion is needless. The writer may, however, profit by reading the opinion of at least a better authority than himself. I will read out a passage from a book entitled *A Bengali Grammar*, also an *Assamese Grammar* by Professor G. F. Nicholl, M.A., a great oriental scholar, who was Lord Almoner’s Professor and Reader in Arabic in the University of Oxford, Oriental Lecturer of Balliol College, Oxford, Professor of Sanskrit and Persian in King’s College, London. He says—

‘Assamese is not, as many suppose, a corrupt dialect of Bengali, but a distinct and co ordinate tongue, having with Bengali a common source of current vocabulary. Its Sanskrit did not come to it from Bengal, but from the Upper Provinces of India, this all who carefully examine the matter will readily admit.’

“That being the case, Sir, it is not at all unnatural that, when a proposal comes up for giving full control to Bengal in any matter in which other Provinces are commonly interested with Bengal, they should feel disposed to look upon the situation with some apprehension and uneasiness. Bihar and Burma, I understand, are going to have their Universities in a few years. If the Government of India thinks of divesting itself of the powers it now has over the University of Calcutta, I humbly suggest that similar provision should be made for a separate University for Assam also, and ask Bengal to wait till all these dependent Provinces have been provided with their own Universities. But till then, the Government of India should, in my humble opinion, retain its present control over the Calcutta University. The Resolution of course asks the Government only to consider the advisability of taking a certain step. If it should mean nothing more than a consideration of the pros and cons of such a step, there can be no serious objection to the Resolution being accepted, and discussions opened with the Local Governments concerned in the matter. If it should, however, mean anything more than that, I feel it my duty to oppose the Resolution.”

**The Hon’ble Dr. M. N. Banerjee:**—“Sir, I give my hearty support to the Resolution moved by the Hon’ble Mr. Surendranath Banerjee. I should like to add to the arguments that have been put forward in favour of the proposed change that the Chancellor of the University nominates 80 per cent of the Fellows, and that the Governor of a Province is more likely to know the persons who are best fitted for the purpose.

“I further submit that, if this Resolution is accepted, it will remove many of the difficulties and much of the delay which educational institutions have to suffer from in the matter of affiliation to the University, and which will continue so long as the existing state of things remains.

“As to the expressions of Sir Asutosh Mukherjee which my Hon’ble friend Mr. Dadabhoy has quoted, I think they are not so argumentative as giving utterance to the sentiments which Sir Asutosh felt at the time.

“As regards the suggestion which the Hon’ble Mr. Setalvad has made of undue interference on the part of Local Governments in University affairs, I think such cases are very rare and exceptional, and they may happen in any form of University control.

“As regards the objections raised by the Provinces concerned, I will leave my Hon’ble friend the Mover to reply to them.

“I again give my hearty support to the Resolution moved by my Hon’ble friend.”

**The Hon’ble Mr. Cumming:**—“Sir, I trust I shall not weary the Council at this stage by offering a few observations on the Resolution from the point of view of the Local Government concerned. The Hon’ble Mr. Banerjee has given his reasons, regarding some of which there is difference of opinion; but, regarding his narrative of facts, in the main, I think the Council may take it as correct. I am in a position to say that the Government of Bengal

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would welcome a change of the nature indicated in the Resolution, but with certain reservations.

"It seems to me, Sir, that there is a general principle involved; and that principle is a well-known one in administration. Where there is responsibility, there should be authority; and in fact power or authority cannot be divorced from responsibility without serious consequences. In the present circumstances of Bengal, since the Government of India have moved from their former headquarters in Calcutta, the position of the Government of Bengal is such that it has a responsibility of which it cannot divest itself. Now, in the application of that principle, there are two points to be considered. First of all, as regards the position of the Rector, under the existing law the Lieutenant-Governor was the Rector; and to that position the Governor has succeeded by the tacit consent of all concerned. At the same time, in the Act no special duties are assigned to the Rector, and I believe I am correct in saying the Act does not countenance the delegation of any powers or functions of what is known in the Act as 'the government' to the Rector. I consider, Sir, that this position offends against the proposition which I stated, namely, that where there is responsibility, as there is now, there should be authority.

"Next as regards the Government of Bengal, in the same manner, circumstances have changed since 1904. In that year, as has already been stated to the Council, the 'government' was placed in the hands of the Governor General in Council.

"But it is well known that in the cases of Madras and Bombay, under the same Act the authority of the 'government' was given to the respective Governors of those presidencies. In fact, the Local Government of Bengal is not mentioned at all in the Act of 1904. I am, therefore, to say that the Government of Bengal would welcome any change whereby ultimately, as regards its own territory, it would not be in a worse position than the sister Governments of Madras and Bombay.

"I said that there were certain reservations. These reservations have been the subject of comment in the course of the debate, and very properly so. There are undoubtedly real difficulties on account of the fact that at present the jurisdictions of the Presidency of Bengal and of the University of Calcutta are not conterminous. There would be a great advantage in making the jurisdictions conterminous. It is true, as has already been explained in the course of the debate, that, in the case of the United Provinces and in the case of Madras, the Governments in those areas do control colleges which are affiliated outside their areas. But, at the same time, I consider that, as long as there is official control of the Universities, that control should, as far as possible, be concentric with the jurisdiction of Government. It should be recognised in this connection to what a great extent Bengal proper is involved. In Bengal, there are 41 colleges affiliated; in Bihar, there are 7; in Assam, there are only 2, and possibly in the future 3; and in Burma, there are only 2. It is obvious then to what a great extent the existing Government of Bengal is interested in the large number of colleges which are under its territorial jurisdiction. Of course, if, as is probable, the two Universities of Bihar and Burma materialise, as I understand they will, and as I personally hope they will, the position will become altered, and then there will remain only the Administration of Assam. I think it should not be impossible that, when that state of things has been reached, an equitable arrangement may be made so that the ruler of Bengal and the Government of Bengal should be in a position to control the University affairs within the areas of existing Bengal and Assam. I quite agree with those Members who have spoken who say that under existing circumstances, without casting any reflection, they feel that it is proper that the authority should remain as an outside impartial controlling authority; but if these changes should come about, I can say, on behalf of the Government which I have the honour to represent, that they would be welcome. With these reservations and remarks, I support the Resolution."

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[*Mr. Oldham; Mr. Walker; Mr. Surendra Nath Banerjee; Pandit Madan Mohan Malaviya.*]

**The Hon'ble Mr. Oldham :—**“ Sir, I had not intended to say anything on this Resolution this morning, more especially as I have no instructions. In view of the fact that the Right Hon'ble the Secretary of State has already decided that a separate University for Bihar and Orissa (the scheme for which is cut and dry) should be established at Patna, and of the fact that, as I understand, the necessary short legislation to give practical effect to that decision will be brought forward at the earliest possible date, it may seem that the Province of Bihar and Orissa is not so vitally concerned with this Resolution as certain other provinces or administrations, who may not be so far advanced in the matter of their University schemes. Furthermore, objection does not seem called for at this stage in view of the very broad terms of the Resolution, *viz*, that this Council recommends to the Governor General in Council ‘to consider the advisability of’ placing the University of Calcutta on the same footing with the Universities of Madras and Bombay, etc. I realise the misapprehension which frequently attaches to the meaning of the words ‘consider’ and ‘consideration,’ especially on the part of applicants for boons or favours! But I have little doubt that the Government of India will not misapprehend the terms; and I have no doubt that the Government of India will come to no final decision, one way or the other, in this matter—will do nothing that might prejudice the interests of any individual Local Government or Administration, without formally consulting those Governments or Administrations, and without giving the fullest consideration to any arguments which they may have to bring forward, or difficulties which they may think necessary to raise. It seems hardly necessary to request that a formal assurance be given to this effect.”

**The Hon'ble Mr. Walker :—**“ Sir, I had not anticipated addressing the Council on this Resolution, but the Hon'ble Mover and also some other Hon'ble Members have referred to the concrete instance of the relations of the Central Provinces to the Allahabad University as an argument, which is likely to remove the apprehensions that may be felt by Governments, other than the Government of Bengal, at the prospect of the change contemplated in the Resolution. The Hon'ble Mover has stated that the existing arrangements with the Central Provinces and also in Ceylon have not resulted in any catastrophe—”

**The Hon'ble Mr. Surendra Nath Banerjee :—**“ I did not say that with reference to the Central Provinces; I said it with reference to Ceylon.”

**The Hon'ble Mr. Walker :—**“ Very good; at the same time that is not much of an assurance. The Hon'ble Mover did not say that the existing arrangements have proved satisfactory, and I can assure the Council that the existing system, under which education in the Central Provinces is subordinated to an institution essentially connected with another province, has no friends in that province, official or non-official. It is the prospect of obtaining a University of our own that is looked forward to as the only satisfactory solution of several problems.”

**The Hon'ble Pandit Madan Mohan Malaviya :—**“ Sir the Resolution has given rise to a very curious discussion in which, on the one side, is expressed a rather strong opinion on behalf of Bengal that it should be freed from the control of an authority which is not present in Bengal, and, on the other side, an equal apprehension that, if that control is removed, the interests of provinces other than Bengal will suffer. But, if I may say so, the very intense earnestness of the arguments, put forward by the representatives of Burma, Assam and other provinces, that the present state of things should continue, furnish a strong support to the Resolution which has been moved by the Hon'ble Mr. Banerjee; for that shows, Sir, that they are naturally

[ *Pandit Madan Mohan Malaviya.* ]

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anxious that the interests of their provinces should not suffer by the control which the Governor General exercises over the affairs of the Calcutta University being removed. Sir, in the absence of the control of the heads of their respective provinces, over a University which governs them, they find most satisfaction in the control which is exercised by the Governor General over it. On the other hand, Bengal has risen to urge that its University should be placed on the same footing with the Universities of Madras and Bombay. I think, Sir, there is much to be said on both sides of the question. A great deal can be said in favour of the view that the head of the Government of Bengal should be the head of the University of Bengal. In ancient days when the Calcutta University was started, things were different, the Governor General of India being the supreme head of the Government, was naturally made ex-officio Chancellor of the University. But, since that time much water has flowed down the Hooghly; the Punjab and the United Provinces have had separate Universities established in them. The Governor General no longer has his head-quarters in Calcutta, and Bengal has been raised to the status of being under a Council government; it has been placed on the same footing as Madras and Bombay; and it is somewhat anomalous that the Governor of Bengal should not be the head of the University of Calcutta which is primarily the University for Bengal, as the Governors of Madras and Bombay are the heads of the Universities of Madras and Bombay. I do not think that the real reason for the change which is advocated is that the exercise of the control, of the nominal control, it can only be nominal, by the Viceroy is resented; the object is that the guidance and control of the head of the Government of Bengal who is ever present in Bengal,—which is direct and immediate, should be available to the University in the fullest measure for the benefit of the University of Calcutta. It should be remembered that Bengal is the largest province which is interested in the existing arrangements and in the present proposal. As the Hon'ble Mr. Cumming has pointed out, Bengal has the largest number of colleges which are under the control of the University of Calcutta, and it should not be made to suffer, because it has extended its hospitality to other provinces which are less favoured than it is, by admitting students from colleges existing in those provinces—from Burma, Assam, and Bihar and Orissa to its own examinations. There is much force in the contention that Bengal should not be placed under the disadvantage of not being allowed to have the head of its Government as the Chancellor of its University. At the same time, there is much to be said in favour of the view urged by Burma and Assam that their interests should be safeguarded. If the recommendation contained in the Resolution is accepted even before Universities come into existence at Patna and in Burma and in Assam, it should still be possible to safeguard their interests both in the matter of the vernaculars that prevail in those provinces and in other respects so far as the interests of the students of those Provinces are concerned. But the true solution lies in another direction; the root of trouble lies in the fact that the provision for University education is so unsatisfactory, is so poor in India. That for the whole area which is even now under the jurisdiction of the Calcutta University, and which comprises a population more than twice as large as the population of the United Kingdom, there should be only one University is a matter on which neither the people nor the Government can be congratulated. Leaving alone Burma, Bihar and Orissa and Assam, Bengal alone has a population of nearly 50 millions, a population larger than that of the United Kingdom, and yet there is only one University in it, whereas in the United Kingdom there are 18 to 21 Universities. The real solution therefore lies in expediting the establishment of Universities in Burma, in Bihar and Orissa and also in Assam. One speaker has said that Assam is not a sufficiently large province to have a separate University of its own. I do not agree with him. I submit that having a population of over seven millions, nearly equal to that of Belgium, it is a sufficiently large province to have a University of its own. And I hope that one result of this Resolution, if it leads to no other result, will

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[ *Pandit Madan Mohan Malaviya; Raja Sir Muhammad Ali Muhammad Khan, of Mahmudabad* ]

be to expedite the efforts which are being made for the establishment of a University in Burma, and for the establishment of a University for Bihar and Orissa at Patna, and I hope also that the result of the discussion will be to suggest to the Government of India the desirability of seriously considering whether Assam should not have a University of its own. No doubt Burma, Bihar and Orissa and Assam are under a debt of gratitude to Bengal for the advantages of higher education which the students of these provinces have received during half a century from their connection with the University of Calcutta. But it is undeniable that if Universities had been established in Burma, Bihar and Orissa and Assam when their separate administrations were established, the progress of higher education in those provinces would have been immensely greater, and the condition of the people would have been immensely better. Therefore, I hope, Sir, that, while the Government of India will be pleased to accept the Resolution as it is worded, that it will expedite the establishment of a University in Burma, and of a University in Bihar and Orissa, and also take into its serious consideration the question of a University being given to Assam."

**The Hon'ble Raja Sir Muhammad Ali Muhammad Khan, of Mahmudabad:**—"The present system governing the management of the Calcutta University stands self-condemned. It is avowedly a system of double control, and, as such, is open to obvious objections. No man can serve two masters. In this case, too, the system prevents either master from taking an adequate interest in the University. The Government of India are now absent from Calcutta for 12 months in the year, and cannot possibly have that first-hand acquaintance with the local problems which they possessed of old, and which is essential for dealing with the affairs of a large University such as the University of Calcutta. On the other hand, the Local Government who can never be quite sure of the attitude of the Government of India in any particular matter cannot but adopt a non-committal and unattached attitude, in fact an attitude of irresponsibility. The result is delay, and, what is worse, there is apt to be friction, or at least the opportunity for friction, not only between the University and Government, but between the two Governments. The present debate has amply shown that what I am saying is not only true on paper, but that the present system has given rise to great practical difficulties which have neither enhanced the reputation of the Government of India nor tended to the advancement of education. It might of course be objected that so long as there are no separate Universities in Burma and Bihar and Orissa, it may be undesirable to transfer the control of the Government of India over the Calcutta University to the Government of Bengal. But we have yet to know wherein this undesirability lies. We have precisely the same system prevailing in the case of the University of Allahabad which, though under the control of the United Provinces Government, exercises jurisdiction over the Central Provinces and certain Indian States. The same is the case with the Lahore University. Why the Calcutta University should be unnecessarily harsh or severe in its attitude towards the Colleges that exist in Burma, Assam and Bihar and Orissa, is difficult to understand though, if such suspicion was reasonable, the transfer to the Local Government might be made subject to a proviso reserving the control of the Government of India so far as colleges outside Bengal were concerned. I am, however, opposed to shelving the present question till there are separate Universities in Bihar, Burma and Assam. For this will mean that we shall have to wait for a very long time, and the present system, as I have said before, with its inevitable delay and friction, will continue to the detriment of education not only in but outside Bengal.

"Lastly, it is clear that the proposal of my Hon'ble friend, the advantages of which outweigh its disadvantages has the support of public opinion generally in Bengal. This fact, of itself, merits serious consideration.

[ *Raja Sir Muhammad Ali Muhammad Khan, of Mahmudabad; Khan Bahadur Mian Muhammad Shafi* ] [ 22ND MARCH, 1916.]

“ In conclusion, I submit that I support the Resolution to strengthen the hands of their Honours the Lieutenant Governors of Burma and Bihar to have Universities for Burma and Bihar ”

**The Hon'ble Khan Bahadur Mian Muhammad Shafi:—**

“ Sir, I rise to give my cordial support to the Resolution moved by my friend the Hon'ble Mr. Surendranath Banerjee, because of the hope which I entertain that a careful consideration of the advisability mentioned in his Resolution will lead to the realisation not only of the object which Bengal has in view, but also of the ultimate object which both Burma and Assam have at heart. The apparent antagonism in the speeches delivered to-day by the Hon'ble Mr. Surendranath Banerjee, the Hon'ble Colonel Gurdon and the official Member for Burma, is, when closely examined, no antagonism at all. It seems to me that just as outside control is irksome to Bengal, so, from the point of view of Assam and Burma, if the change contemplated by the Hon'ble Mr. Surendranath Banerjee were to be brought into existence, would the resulting outside control be equally irksome to Assam and Burma. I am sure that our friends from Bengal will fully realise that the Assamese and the Burmese people are perfectly within their rights when they say that, if the Bengal people desire that the control of their provincial educational affairs should be vested in the hands of their own Government, the Assamese and the Burmese people are perfectly justified in adopting the same attitude with regard to their own provincial educational affairs.

“ My Hon'ble friend Mr. Setalvad has mentioned a certain incident which occurred in Bombay in order to caution the Hon'ble Mr. Surendranath Banerjee lest in the change which our Bengal friends advocate they might be—I do not know whether that expression was quite justified—‘jumping out of the frying pan into the fire.’ Well, Sir, so long as the control of educational institutions rests in the hands of individuals who entertain strong opinions with regard to given questions, so long must these incidents occasionally happen, whether that control is in the hands of Provincial Governments or in those of the Imperial Government. I will give one illustration. The Hon'ble Mr. Setalvad is fully aware of the controversy raging round the question of the alternatives of the Matriculation examination and the School Final examination, with reference to which we have had a very heated and very interesting discussion recently in the Senate of the Bombay University. Well, the same question is already under discussion in the Punjab University, with which I have been closely connected for the last twenty years. Perhaps the Hon'ble Mr. Setalvad will be surprised to hear that the suggestion of the substitution of a School Final in place of the Matriculation examination, so far as our province is concerned, emanated from the Imperial Government, and not from the Provincial Government. For a long number of years the Provincial Government resisted the suggestion of the Imperial Government that a School Final examination should take the place of the Matriculation examination, but, in spite of that resistance, finally it had to give way and the question was brought up for discussion at a meeting of the Senate of the Punjab University. Certain members of the Senate took objection to the course that had been adopted in this connection, in that the proposal had come up for discussion before the Senate over the heads of the Oriental Faculty which was vitally interested in the final determination of this question. The matter was referred to the Oriental Faculty, with the result that 29 members of that Faculty voted against the proposal and only 4 in its favour. We shall see what will be the final result of the discussion of this question in the Senate. But, as against the instance given by my Hon'ble friend Mr. Setalvad, I have ventured to give this instance that has occurred in the Punjab, to show that so long as the control, not only of educational problems but of other problems as well, rests in the hands of strong men, whether those men belong to Provincial Governments or Imperial Governments, these little incidents must occasionally happen.

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[*Khan Bahadur Mian Muhammad Shafi; Sir C. Sankaran Nair.*]

“It seems to me, Sir, that there is a great deal to be said in favour of the Resolution which has been moved by my friend Mr. Surendranath Banerjee. All that the Resolution asks for is a consideration of the advisability of the change advocated, and I hope that the consideration which is requested will result in what seems to me to be the only solution of the educational problem involved in the existing situation, and that is, the grant of at least one University to every province, whether it be a major province or a minor province, and possibly of a larger number of Universities than one to some of the provinces of India.”

**The Hon'ble Sir C. Sankaran Nair :—**“Sir, if the educated men of Bengal desire that the higher education of the Bengalis should be in the hands of their own Government and of their own University, it would only be a natural wish on their part. They have the sympathy of the Government of India. The general observations which my friend made with reference to the desirability of such a transfer are of great weight. And if the Council had been asked now finally to decide the question, it might be necessary to examine them in some detail, but he has only asked that the Government of India should take the matter into consideration, not that the Council should finally decide upon the question of transfer. The Government are prepared to accede to this request. But while conceding so much, I should not be understood to accept the special reasons which have been put forward by some gentlemen for transfer of the control from the Government of India to the Government of Bengal. It was stated by one of the Hon'ble Members that, so far as the appointment of Fellows is concerned, it is eminently desirable that the Government of Bengal should be the final authority instead of the Government of India, as the Government of Bengal is more in touch with the men available for appointment as Fellows than the Governor General here is likely to be. That may be so, but my Hon'ble friend has also noticed the objection, that the Governor of Bengal may not be able to pay the same attention to the claims of Provinces outside Bengal like Bihar and Orissa and Burma. He would ordinarily be guided in his choice by the Vice-Chancellor, a local gentleman, and by the Director of Public Instruction who has control only over the Province of Bengal. It was further said by one of the Hon'ble Members, Dr. Banerjee I think, that so far as affiliation is concerned, they would like the Governor of Bengal to be the final authority and not the Government of India. In view of certain events that have taken place, I can quite understand the reason why that objection was put forward, but it is permissible to doubt whether, in the conditions that now exist in Bengal, it is not desirable that an outside authority should have the final say in the matter. These are the only two special reasons that have been put forward. The transfer of the control from the Government of India to the Government of Bengal has been opposed by certain speakers who are of opinion, for certain general reasons, that it is not advisable. My friend the Hon'ble Mr. Setalvad opposes it also from the experience that he has gained of what he considers to be the undue interference of the Government of Bombay with the University of Bombay, while my Hon'ble friend Mr. Shafi's experience is the other way, and he would rather have the Local Government itself to control the University. It is not necessary now, for the reason that I have already stated, for the Council to come to any final conclusion, because we are not asked to make the transfer now.

“My friends from Assam are strongly against any transfer because they think that Assam literature and the interests of education in Assam would not be properly attended to by the University and Government of Bengal. That too is a matter which would require consideration when the final decision has to be made. But at present I do not think it necessary for the Council even to consider it because the Government of India have finally resolved to give effect to the objection that has been advanced by the representatives from Burma and from Bihar that no transfer should be effected, unless their claims are settled in the way they wish them to be settled, that is until the Universities of Rangoor

[*Sir C. Sankaran Nair; Mr. Surendra Nath Banerjee.*] [22ND MARCH, 1916.]

and Patna have been constituted, or until those schemes have approached completion. We think that, as those schemes are now under consideration and as those Universities are likely soon to come into being, it is not advisable that the transfer should be effected at present.

“My friend, the Hon’ble Mr. Surendra Nath Banerjee referred to certain instances such as the Central Provinces and Ceylon to justify his contention that it cannot be said that, because the Government of Bengal have no jurisdiction over the Provinces of Burma and Bihar, the University of Calcutta too should not be allowed jurisdiction there. So far as the Central Provinces are concerned, they apparently are not satisfied with their position, and they want a University for themselves. So far as Ceylon is concerned, they have come under the jurisdiction of Madras of their own accord, and they do not seem to wish to leave it. It will be time enough to consider their case when they want a University of their own. For these reasons, the Government of India consider that if the transfer of the University of Calcutta to the control of the Government of Bengal is to be carried out, it should not certainly be carried out till these two Universities have come into being, and when the question has to be taken up for final settlement, I have no doubt whatever that the arguments which have been urged by the representatives from Assam will be given their due weight. Subject to these reservations, the Government of India would accept my Hon’ble friend’s Resolution.”

**The Hon’ble Mr. Surendra Nath Banerjee:**—“Sir, I thank the Hon’ble Member in charge of the Department for accepting the Resolution. Bengal opinion would have been more pleased if he could have seen his way to accept the Resolution without the reservations to which he has referred. There has been an animated debate over this matter, but really, if we look to the bottom of the whole thing, there is perfect agreement and unanimity in regard to it.

“I do not think my Hon’ble friends, the official members—and I congratulate them on having broken their golden silence on this occasion—really object to our Governor being the Chancellor of our University. What they are apprehensive of, and what they object to, is that their University affairs would come under the direction of the Government of Bengal and would pass away from the control of the Viceroy of India. They do not object to our being autonomous in this matter, but they want to safeguard their own interests. I think they are quite right. I confess that if I were in their position, I would take precisely the same view. I have no quarrel with them, but I have a quarrel with the Government in regard to this matter. I desire to call the attention of my Hon’ble friend Sir Sankaran Nair, to section 28, clause 2. Of course he was an eminent Judge, an ex-Chief Justice, and my reading of the law must be subordinated to his interpretation of it. But this is, so far as I can make out, a matter of common sense. This is what section 28 clause 2, says—”

*A Voice* :—“What Act?”

**The Hon’ble Mr. Surendra Nath Banerjee:**—“It is the Universities Act of 1904.

“This is what section 28, clause 2, says—

‘The Chancellor may delegate any power conferred upon him by the Act of Incorporation or this Act to the Rector.’

“Since, therefore, the Chancellor is at liberty to delegate any or all his powers, my submission is this. Let the Chancellor delegate his powers in respect of colleges within the territorial limits of Bengal to the Governor, and let him retain control over the other Provinces. I think that section justifies that. So far as Bengal is concerned, let the Chancellor delegate the powers that are vested in him—and the section gives him the authority—in respect of the affiliated institutions in Bengal—and they are 41 in

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[ *Mr. Surendra Nath Banerjee.* ]

number, Sir, out of 48—retaining his power in respect of the institutions outside the territorial jurisdiction of Bengal. That seems to me the obvious solution of the problem. These institutions, in the outlying areas of Burma, of Assam and of the new Province, will continue, as now, under the authority of the Governor General. There will be a change so far as we are concerned, and our Governor will be *de facto* Chancellor, though not in name. The Viceroy will continue to be the Chancellor in name, but by this delegation, the Governor of Bengal will become the *de facto* Chancellor for the affiliated institutions in Bengal. This, Sir, seems to me to be a solution of the question that will reconcile conflicting interests, and divergent views, conciliate Bengal opinions and the opinions which have been expressed in this Council Chamber to-day. I think that is the solution, and I really do not know why the Government should not see its way to accept it. But, if, for reasons with which I am unacquainted, Government is not able to adopt it, then my submission is that it should expedite the creation of these different Universities. I am entirely in favour of the creation of a University in Assam. Why should not Assam have a University of its own and work out its educational destinies in its own way, according to its lights and according to its requirements? I do not at all share the cynicism—if I may be permitted to express myself in that way—of the Hon'ble Colonel Gurdon who asks 'What do the Calcutta lawyers know about the educational requirements of Assam?' The Calcutta lawyers are not the masters of the University 80 per cent. of the Fellows are officials or non-officials nominated by the Government. If I am excused for using strong language, I will say this, that they are the creatures of the Government. And what have the Calcutta lawyers to do with the matter? Over and above the Calcutta lawyers there is the Government of Bengal and the Government of India. Assam has done wonderfully in the matter of educational development. And let those who malign the Calcutta lawyers bear in mind that these lawyers have had a large hand in helping forward the educational development of Assam. My Hon'ble friend Mr. Dadabhoi quoted the opinion of the Hon'ble Sir Ashutosh Mukerji. That opinion is a matter of antiquarian history to-day. The opinion is as old as the year 1912. I am not permitted to disclose the secrets of conversations which I have had with Sir Ashutosh Mukerji, who is a high educational authority, but I imagine that the spirit of his dreams has undergone a change and that the opinions which were paraded before us in that ostentatious fashion, so peculiar to my Hon'ble friend over there are not admitted by him at the present moment. They may be relegated to a museum of things ancient and when the biographer of Sir Ashutosh Mukerji attempts to write his life he may refer to it and may draw the lesson that even the greatest amongst us are sometimes apt to be versatile.

"I say, Sir, once again, with all the emphasis that I can command, that we in Bengal—and I represent the public sense and the public conscience of Bengal in this matter—do not in the smallest degree desire to stand in the way of the creation of the Universities in Assam, in Burma and in Bihar and Orissa. We shall welcome them with enthusiasm because we shall recognise them as the products, the children, the progeny of the Calcutta University. We shall have the satisfaction of knowing that we have helped forward the educational development of these Provinces. No jealousy, no malice, no feeling of antagonism will mar the beautiful prospect that will open out to them and to us. We are anxious that they should have Universities of their own, but we are also anxious that justice should be done to us, and that the head of our Government should also be the Chancellor of our University. There is no mistake as to what official opinion in Bengal is. My Hon'ble friend to my right, Mr. Cumming, in that quiet, dignified but firm way which is characteristic of him, stated plainly what the views of the Government of Bengal are. And then there are the representatives of public opinion in Bengal. Official and non-official opinion is united in the demand which I have ventured to put forward to-day before this Council. And that demand affects 41 of the colleges and schools of the Calcutta

RESOLUTION *RE* TRANSFER OF CONTROL OF THE  
CALCUTTA UNIVERSITY.

[ *Mr. Surendra Nath Banerjee.* ]      [ 22ND MARCH, 1916. ]

University, as against seven in the other Provinces. We do not want to stand in their way : give them their Universities, but do not bar the way against us. Do not flout public opinion in Bengal by refusing to us the reform which we are entitled to have because we are a Presidency Government. My Hon'ble friend Mr. Setalvad, has asked : ' Why have you not brought forward cases to justify your motion ? ' My friend is a lawyer ; I am not, but I understand the tricks of lawyers. And I will tell him this, that I did not want to prejudice this controversy or handicap it by creating irritation and bad feeling at the commencement. I had a bundle of cases in my pocket, and I could produce them just now, of mandates issued by the Government of India, being carried out in defiance of the wishes of the Senate. I do not want to refer to them because I deem it inexpedient to injure my case or handicap it by creating irritation. Therefore, my friend will pardon me if he thought there was a flaw in the arguments that I ventured to bring forward. I am grateful to my friend the Hon'ble Sir Sankaran Nair for accepting the Resolution, but I hope he will give effect to the section to which I have referred. And if, for legal reasons with which I am unacquainted, he is not able to do so, I earnestly appeal to him to expedite the creation of those Universities which may enable us to place the Governor of our Province at the head of our University. That would be the first step towards freeing the University from that official control to which my Hon'ble friend Mr Setalvad referred ; and as popular opinion in Bengal is a growing power, we shall soon bring the Chancellor of our University under our own control."

The Resolution was put and agreed to.

The Council adjourned to Friday, the 24th March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,  
Legislative Department.*

DELHI ;

*The 30th March, 1916.*



GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER  
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915  
(5 & 6 Geo. V, Ch. 61).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on  
Friday, the 24th March, 1916.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, K.G., P.C., G.C.B., G.C.M.G.,  
G.C.V.O., G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,  
and 61 Members, of whom 53 were Additional Members.

QUESTIONS AND ANSWERS.

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked :—

1. “(a) Is it a fact that trade in India in certain commodities has, until the outbreak of the present war, been monopolised by Germany and Austria-Hungary, and that such trade has now stopped in consequence of the war ?”

Steps taken  
to secure  
trade mono-  
polised by  
Germany  
and Austria-  
Hungary.

(b) If so, will Government be pleased to state what measures, if any, they have taken to secure such trade for India ?”

**The Hon'ble Sir William Clark** replied :—

“The answer to the first part of the question is in the affirmative. If the Hon'ble Member will refer to the Memorandum and Statistical Tables relating to the trade of India with Germany and Austria-Hungary published by the

[ *Sir William Clark; Sir Fazulbhoy Currimbhoy; Khan Bahadur Mir Asad Ali Khan* ] [ 24TH MARCH, 1916.]

Department of Statistics, he will find that the share of Germany and Austria-Hungary in the import trade of India before the war was in the case of:—

	Per cent.
Alizarine dyes . . . . .	68
Aniline „ . . . . .	79
Synthetic Indigo . . . . .	88
Glass bangles „ . . . . .	93
Funnels, globes and glass parts for lamps . . . . .	69
Enamelled ironware . . . . .	89
Yarn and knitting wool . . . . .	82
Woollen shawls . . . . .	81

and there are numerous other commodities in which enemy countries did a considerable proportion of the trade. There are also several items in our export trade, notably raw hides, in which enemy countries had the lion's share.

Trade with these countries has ceased in consequence of the war.

With regard to the second part of the question, I would refer the Hon'ble Member to the remarks I made in this Council last year on the Hon'ble Raja Kushalpal Singh's Resolution with regard to the promotion of industries in which I explained the policy of Government. I would also refer the Hon'ble Member to my speech on Sir Ibrahim Rahimtoola's recent Resolution."

**The Hon'ble Sir Fazulbhoy Currimbhoy** asked:—

Develop-  
ment of the  
manufactur-  
ing industry  
in India.

2. "(a) Is it a fact that the Imperial Government have adopted a scheme for participation in, and financial support to, the manufacturing industry in the United Kingdom?"

(b) If so, have the Government of India formulated any such scheme on the same lines for India?"

**The Hon'ble Sir William Clark** replied:—

"With the exception of the dyeing industry in regard to which I would refer the Hon'ble Member to my speech on the Hon'ble Raja Kushalpal Singh's Resolution last year, the Government of India know of no industry in which the Imperial Government have in any way participated or to which they have afforded financial support.

With regard to the second part of the question, I would refer the Hon'ble Member to the debate in this Council on the Hon'ble Sir Ibrahim Rahimtoola's Resolution regarding the promotion of industries."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked:—

Steps taken  
to stimulate  
indigenous  
trade and  
cottage  
industries.

3. "Will Government be pleased to state what practical steps (if any) have been taken since the outbreak of the war to stimulate indigenous trade and cottage industries in India?"

**The Hon'ble Sir William Clark** replied:—

"I would refer the Hon'ble Member to the speeches made by the Hon'ble Mr. Carr and myself last year in reply to the Resolution of the Hon'ble Raja Kushalpal Singh, and also to my recent remarks on the Hon'ble Sir Ibrahim Rahimtoola's Resolution on the subject of the promotion of Indian trade and industries generally."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked:—

Consump-  
tion of  
foreign  
liquor,  
country  
spirit and  
toddy.

4. "Will the Government be pleased to lay on the table a statement for the last ten years for each province, showing—

(a) the amount of liquor manufactured in each of the distilleries, breweries and other places of manufacture;

(b) the number of liquor shops, as well as the quantity of foreign liquor, country spirit, and toddy consumed;

(c) the names of districts importing the largest quantity of foreign liquor, as well as the quantity so imported?"

[ 24TH MARCH, 1916. ]

[ *Sir William Clark; Khan Bahadur Mir Asad Ali Khan.* ]

**The Hon'ble Sir William Clark** replied :—

“ Complete statistics in respect of part (a) of the question are not available. As regards part (b), the attention of the Hon'ble Member is invited to Volume II of the papers relating to the Excise Administration in India published in the Supplement to the Gazette of India of the 13th March 1915, which give figures in regard to (1) number of liquor shops, (2) consumption of country spirit in distillery areas, and (3) consumption of potable spirits manufactured in India and taxed at the tariff rate, for the 8 years ending 1912-13. Statements\* are now laid on the table which furnish information regarding (1) and (2) for the 2 years 1913-14 and 1914-15, and also statistics of the consumption of toddy for the 10 years ending 1914-15 in Madras, Bombay, and Ajmer-Merwara, for which provinces alone figures in this respect are available. The statements also show the sales of foreign liquors in 1913-14 and 1914-15 (1) in each province, and (2) in those districts in which the sales were comparatively high. The figures for the earlier years are not available for all provinces. There is no information regarding the *import* of foreign liquors into the different districts of each province.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

5. “ (a) Is it a fact that the introduction of the fixed fee system in Bombay has given successful results? If so, do Government propose to extend the system to the other provinces? Fixed fee system.”

(b) Do Government propose to appoint Licensing Boards in other provincial capitals similar to those in Bengal? ”

**The Hon'ble Sir William Clark** replied :—

“ (a) The fixed fee system for the disposal of licenses for the retail vend of country spirit in the Bombay Presidency has been in operation for too short a period to enable the Government of India to make a definite pronouncement on its results. In their opinion, however, the experiment is valuable, and they have left it to other Local Governments and Administrations to take action on similar lines if they consider it warranted by local conditions.

(b) The Government of India do not consider that they would be justified at the present stage in requiring the extension to other provincial capitals of the experiment initiated by the Government of Bengal. They have, however, authorised other Local Governments and Administrations to take such steps in this direction as they may consider suited to local conditions.”

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

6. “ (a) Is it a fact that the consumption of intoxicating liquors is steadily increasing in India? Increase in consumption of intoxicating liquors.”

(b) If so, do Government propose to—

- (i) restrict the import of foreign liquor into India ;
- (ii) reduce gradually the strength of country spirit throughout the country ;
- (iii) reduce year by year the amount of liquor manufactured in the distilleries and breweries in the country ; and
- (iv) remove altogether all liquor shops situated beyond municipal limits in all large towns? ”

**The Hon'ble Sir William Clark** replied :—

“ The answer to the first part of the question is in the negative. The second part of the question does not therefore arise.”

[*Khan Bahadur Mir Asad Ali Khan; Sir C. Sankaran Nair; Sir Gangadhar Chitnavis; Sir Reginald Craddock; Mr. Rama Rayaningar; Mr. C. H. A. Hill.*] [24TH MARCH, 1916.]

**The Hon'ble Khan Bahadur Mir Asad Ali Khan** asked :—

Return ticket system for Hajis.

7. "Will Government be pleased to state briefly the present working of the return ticket system for Hajis, and lay on the table a statement for the last two years, showing—

- (a) the total number of pilgrims to the Hedjas,
- (b) the number of returned pilgrims,
- (c) the number of return tickets purchased, and
- (d) the number, as well as the amount of prices, of tickets refunded ? "

**The Hon'ble Sir C. Sankaran Nair** replied :—

"During 1915 return tickets were obligatory for such pilgrims as travelled by Messrs. Turner Morrison's ships. The return tickets were available for 2 years, with a proviso that a refund would be made after 3 months from the date of the Haj in the year of issue to any pilgrim *bonâ fide* not returning by sea. Single tickets were also arranged for on these ships to *bonâ fide* non-Indian residents of Mecca and Medina whom the Commissioner of Police certified to be not likely to return.

The statement \* asked for by the Hon'ble Member is laid on the table."

**The Hon'ble Sir Gangadhar Chitnavis** asked :—

Indian Subordinate Medical Department.

8. "(a) Is it a fact that Military Assistant Surgeons are entitled to extra furlough for the purpose of study, both in India and out of India, with special allowances ?

(b) Is it a fact that Civil Assistant Surgeons are not entitled to similar privileges ?

(c) If the answers to (a) and (b) are in the affirmative, do the Government propose to state the reasons for this difference and to consider the advisability of granting to Civil Assistant Surgeons privileges similar to those of Military Assistant Surgeons as regards study leave and allowances ? "

**The Hon'ble Sir Reginald Craddock** replied :—

"It is correct that Military Assistant Surgeons have concessions in the matter of study leave which are not open to Civil Assistant Surgeons generally. The matter will probably be gone into after the publication of the report of the Public Services Commission."

**The Hon'ble Mr. Rama Rayaningar** asked :—

Date of payment of instalments of land revenue.

9. "(a) Is it a fact that in some parts of the country the time for the payment of the instalments of land revenue due to Government happens to be before the saleable produce is ready for sale; and that the land-holders are therefore obliged to borrow money at a high rate of interest, or raise money by entering into forward agreements to undersell the produce, for the payment of Government dues ?

(b) Do Government propose to consider the desirability of altering the dates for the payment of the instalments of land revenue in such a manner that the land-holders may not be put to the necessity of borrowing money or underselling their produce prematurely ? "

**The Hon'ble Mr. C. H. A. Hill** replied :—

"In their Resolution No. 15, dated May 3rd, 1882, a copy† of which is placed on the table, the Government of India issued instructions that the annual assessment should be distributed under such arrangements as are most

\* *Vide* Appendix A.

† *Vide* Appendix B.

[ 24TH MARCH, 1916. ] [ *Mr. C. H. A. Hill ; Mr. Surendra Nath Banerjee ; Sir C. Sankaran Nair. ]*

convenient to the revenue and rent payers of the country with reference to the character and value of the crops which are cultivated in varying tracts of every district, and that the requirements not only of each district but of each village in it should receive full consideration. They have every reason to believe that the principles laid down in the Resolution have been carefully followed by Local Governments and Administrations who have full discretion in regard to fixing and altering dates of *kists*, but in view of the importance of the subject, the Government of India will again call the attention of Local Governments to it."

**The Hon'ble Mr. Surendra Nath Banerjee asked :—**

**10.** "(a) Is it a fact that at a meeting of Council held on the 25th February, 1913, the Hon'ble Sir Harcourt Butler said in the course of a debate on primary education — Primary Education.

'I hope before very long—in the course of the next year or so—to be able to publish definite proposals from Local Governments for a course of expansion in primary education over the next three years' ?

(b) Will the Government be pleased to state whether they have received any such proposals ?

(c) If the answer to (b) is in the affirmative, will the Government be pleased to lay the proposals on the table ?

(d) Will the Government be pleased to state what progress has been made in the spread of primary education in India since February 1913, and what facilities have been afforded since then for its spread."

**The Hon'ble Sir C. Sankaran Nair replied :—**

" (a and b) The answers are in the affirmative.

(c) I lay an abstract\* of the proposals on the table, and, if the Hon'ble Member wishes to see the full correspondence, it will be shown to him.

(d) In 1913-14, 84 lakhs non-recurring and 20 lakhs recurring were allotted from Imperial revenues specifically for primary education. Other Imperial grants were made, portions of which would naturally be applied to this object, namely, 5 lakhs recurring for girls' education, and 3 lakhs recurring for colleges and training of teachers. A further Imperial grant of 9 lakhs recurring was made in 1914-15, of which 8 lakhs was allotted to provinces without specific instructions as to the kind of education for which it should be used. The Hon'ble Member's attention is also invited to the reply given by the Hon'ble Sir Harcourt Butler to a question put on the 12th January 1915 by the Hon'ble Khan Bahadur Mir Asad Ali Khan. A comparison of the figures for the last three years is rendered difficult by the fact that the figures for certain Native States which had previously been included have been for the first time excluded in 1915. If the figures for Native States are similarly excluded for March 1913 and 1914, the totals of those receiving primary education in British India are approximately as follows :—

March 1913	.	.	.	.	.	.	.	6,037,000
March 1914	.	.	.	.	.	.	.	6,332,000
March 1915	.	.	.	.	.	.	.	6,557,938

These figures include those for unaided and private schools which impart elementary instruction as well as elementary pupils in secondary schools.

The figures for primary schools maintained or aided by Government or by District and Municipal Boards are as follows :—

	Schools.				Pupils.			
March 1913	.	.	.	107,792	.	.	4,629,187	
March 1914	.	.	.	111,920	.	.	4,882,635	
March 1915	.	.	.	116,455	.	.	5,053,461 "	

[ *Mr. C. H. Setalvad; His Excellency the Commander-in-Chief; Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad; Sir Reginald Craddock.* ] [ 24TH MARCH, 1916. ]

**The Hon'ble Mr. C. H. Setalvad** asked :—

Purchase of coal in Bombay without inviting tenders.

**11.** “ (a) Has the attention of Government been drawn to the various allegations made in the issue of the ‘Bombay Chronicle’ of the 23rd December, 1915, under the heading ‘Government and Economy. Astounding story of Coal Contracts’ ?

(b) If so, have Government made any inquiries regarding the said allegations? If so, will Government be pleased to state the result of those inquiries?

(c) Is it a fact that the Transport Department of the Indian Marine, in 1914 and 1915, purchased large quantities of coal from local dealers in Bombay, without inviting tenders?

(d) If so, what was the total quantity of coal so purchased and the rate per ton paid?

(e) Do Government still purchase coal and other materials without inviting tenders?

(f) Is it a fact that from September, 1914, to the end of January, 1915, one dealer in Bombay supplied 47,715 tons of coal or thereabouts?

(g) If so, what was the rate per ton paid to the said dealer?

(h) Is it a fact that certain owners of large collieries had offered to supply coal on more advantageous terms than the said dealer, and that their offer was refused?

(i) Is it a fact that the said dealer had agreed to pay by way of brokerage or commission Rs2-4-0 per ton to another person, and that he did actually pay Rs5,000 by way of such brokerage or commission?”

**His Excellency the Commander-in-Chief** replied :—

“(a) The answer is in the affirmative.

(b) The answer to the first part is in the affirmative. The result shows that coal was obtained at a reasonable rate, and of good quality, and that due precautions were taken to ensure that the right amounts were delivered.

(c) Yes this is a fact: it has frequently occurred that the urgent necessity of coaling an unexpected number of transports in the shortest time possible would have rendered it quite impossible to meet war requirements had tenders been called for.

(d) 253,673 tons at rates ranging from Rs17-8 to Rs22-8 per ton.

(e) Not unless some unforeseen demand does not admit of time taken up in calling for and receiving tenders

(f and g) From September 1914 to end of January 1915, one contractor supplied 44,209 tons of coal, 32,159 tons of which was supplied at Rs19 per ton and 12,050 tons at Rs20 per ton.

(h) The reply is in the negative.

(i) The Government have no information on the point.”

**The Hon'ble Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad** asked :—

Appointment of private medical practitioners to the Indian Medical Service.

**12.** “ (a) Will the Government be pleased to state the number of private medical practitioners who have been appointed since the beginning of the war to posts ordinarily reserved for members of the Indian Medical Service?

(b) Is it the intention of the Government to retain and utilise their services after the war? If so, in what manner?”

**The Hon'ble Sir Reginald Craddock** replied :—

“(a) The number is 28.

(b) Each case will be considered on its merits and will be suitably dealt with at the end of the war.”

[24TH MARCH, 1916.] [Mr. Qumrul Huda; Sir Reginald Craddock;  
Maung Bah Too.]

**The Hon'ble Mr. Qumrul Huda** asked :—

**13.** “(a) Have the Government employed private medical practitioners temporarily on civil and military duties since the outbreak of the present war ?

Employment  
of private  
Medical  
practi-  
tioners on  
civil and  
military  
duties since  
the out-  
break of  
war.

(b) If so, will the Government be pleased to state the number of private practitioners so employed, and to lay on the table a list specifying the posts they hold and the duties attaching to them ?

(c) Is it a fact that these practitioners volunteered their services at a sacrifice and that they will have to remain away from their place of private practice for some length of time ?

(d) If the answer to (c) is in the affirmative, do the Government contemplate rewarding the voluntary self-sacrifice of these practitioners in any suitable manner ? If so, in what manner ? ”

**The Hon'ble Sir Reginald Craddock** replied :—

“ A list\* of the private medical practitioners employed temporarily on civil and military duties since the outbreak of the war, together with the posts held by them, is laid on the table.

Government has no information as to the private circumstances of the gentlemen employed, but they have undertaken a voluntary engagement on definite terms, and there is no reason to suppose that the latter are inadequate.”

## BUDGET, 1916-17.

**The Hon'ble Maung Bah Too :—**“ My Lord, it is with the greatest pleasure that I seek this opportunity of thanking our Finance Member for the great ability shown by him in the administration of the finances of India, inasmuch as he has been able to allot to each province of India (including Burma from where I hail) its reasonable share in spite of the deplorable state of affairs caused by the war. Every province, I venture to submit, has suffered in consequence of the war, and such sufferings have been productive of needs and requirements—the needs and requirements of my province are greater, owing to its being comparatively a young province. In spite of the great needs of money being apparent to my province, yet at the present crisis I dare not venture, under any circumstances, to appeal to you, my Lord, to see to the financial requirements of my province. Although my province has not sought for financial assistance, as we could not seek at present owing to the war, yet your Excellency's gracious message which was read the other day at the meeting of our Burma Legislative Council, fills us with hope that, when the finances of India are once more in a favourable condition, our claims for the additional funds needed for the development of the province will receive sympathetic treatment. Meanwhile, we are grateful for the revision of the Burma Provincial Settlement which has been referred to by the Hon'ble Finance Member in his Financial Statement which has removed the inequity under which Burma was suffering in regard to her income under the Provincial Settlement, as compared with other provinces.

“ My Lord, on behalf of the people of Burma and the Burmese, permit us to thank you from the bottom of our hearts for having bestowed upon my province a ruler—a Lieutenant-Governor—who, besides being a very efficient and a sympathetic ruler, has, within a very short space of time, become immensely popular with the people under him, who with the greatest of zeal and energy, has taken the greatest personal interest in all matters for the welfare of Burma and its people, who at the very commencement of his administration has become thoroughly acquainted with the manners and customs of the people of Burma in their various walks of life, who has already studied the peoples of Burma and its requirements, who has conferred upon the Burmese people ‘ a blessing ’ by raising a Burman to the judgeship of the highest judicial tribunal of the

\* Vide Appendix D.

[ *Maung Bah Too ; Maharaja Sir Manindra Chandra Nandi of Kasimbazar.* ] [ 24TH MARCH, 1916. ]

province (by bestowing upon the Burmese an honour of their having the first Burman judge on the Bench of the Chief Court of my province)—a selection made by our Lieutenant-Governor which I may be permitted to describe as ‘the most exquisite selection from the flower of the Burmese Bar’—by the Burmese Bar, I mean from amongst the Burman legal luminaries—a Lieutenant-Governor, who is always in earnest to improve the province of Burma and the Burmese in all its possible details—a Lieutenant-Governor, who I and my Burmese people pray would be our ruler for at least a full term. We earnestly hope that he will always be with us as our benefactor, well-wisher, and a sympathetic ruler as he has already proved himself to be, and that he will not be taken away from Burma at any earlier period of time than his full term. We shall be sorry to lose such a beneficent ruler even if he were to be promoted to a higher sphere of official life. Permit me, my Lord, to thank you again on behalf of the people of Burma for having bestowed upon them a very zealous, energetic, efficient, and a sympathetic ruler in the person of Sir Harcourt Butler as the Lieutenant-Governor of Burma.

“My Lord, some five years back I had the honour of addressing this Council in connection with the paucity of Burmans in the Imperial Branch of the Telegraphs and Posts, and solicited that Burmans may be given a trial. I am glad to be able to announce to-day that my request has been granted, as I find to-day that there are a number of young educated Burmans holding the appointments of Superintendent of Post Offices, and there are a number of young Burman graduates working up their way in this service from the bottom of the ladder. I may say from personal knowledge that this service has become rather popular of late with the Burmese people, and I will not be wrong if I were to say that this Department in the near future will be crowded with educated and intelligent Burmans. The thanks of my province are due to the Director-General of Posts and Telegraphs, India, for having admitted young Burmans to this service, and to the Postmasters-General of Burma for the greatest interest they have taken in persuading, collecting and nominating young Burmans to the higher posts in this service.

“In conclusion, I desire, on behalf of the people of Burma, to express our heart-felt disappointment that it has been impossible for your Excellency to visit Burma and to give us an opportunity of welcoming you there. We are very grateful to your Excellency for your interest in the province and for the gracious and encouraging message which you have sent to our Burma Legislative Council. We hope that your Excellency’s successor will find it possible to pay an early visit to Burma, and I would ask your Excellency to assure him, on behalf of the Burmese people, that, when he does come, he will receive a very hearty welcome.”

**The Hon’ble Maharaja Sir Manindra Chandra Nandi of Kasimbazar :—**“My Lord, I shall be very brief in my remarks on the Financial Statement which the Council will be called upon to adopt to-day. The outstanding feature of the statement is the imposition of additional taxation made necessary by the terrible war which has been going on for a year and eight months, and of which the end is not yet in sight. Last year, the Government did not announce any increase of taxation, but we all felt that India could not long be exempt from sharing the burden which the war imposes on the Empire. At the same time, my Lord, I hope due note will be taken of the fact that India did not wait to be called to its duty by any Act of the Legislature or any other measure of the Government. Directly after the outbreak of the war, eager and spontaneous offers of help in every direction were made from every part of India, and the princes and the people vied with one another in placing all their resources at the disposal of the Government. Your Excellency took the initiative—an initiative for which India will never cease to be grateful—in offering Indian troops for active service in Europe and elsewhere, and the Government of India have throughout borne the charges of the Indian Army in the field. Several of the princes and noblemen of India have been serving their King and country in the field, while contribu-

[ 24TH MARCH, 1916. ]

[ *Maharaja Sir Manindra Chandra Nandi of Kasimbazar ; Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad.* ]

tions of money have come in from all quarters, In view of these admitted facts, I may be permitted to express the hope that the increase in taxation is only temporary, and will be done away with after the war.

“ My Lord, the announcement made by your Excellency the other day in this Council that the Government have decided to prohibit the system of indentured labour has been received with sincere gratitude throughout the country. Indian public opinion, as your Excellency pointed out, has long taken exception to this form of labour, and it is due to your Excellency's endeavours that it will be abolished in the near future. I may be also permitted to refer to the Commission that has been appointed to inquire into, and report upon, the possibilities of the development of Indian industries, and for which the grateful thanks of the country are due to your Excellency. ”

“ My Lord, my heart is heavy at the thought that this is the last meeting of the Council over which your Excellency will preside, and in a few days you will leave the shores of India. May I take this opportunity of thanking your Excellency for the unfailing courtesy we have always received at your hands in this Council and out of it. I will not attempt a review of your Excellency's administration, or of the measures that have endeared your name to the people of India, but I shall conclude with the hope that your Excellency will have a safe voyage home, and that you will continue to take an interest in the affairs of India and her people.”

**The Hon'ble Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad :—**“ My Lord, in congratulating my friend the Hon'ble the Finance Member for his masterly presentation of the Budget for 1916-17, I assure him that the measures which he has found it necessary to propose, will, under the exceptional circumstances governing our lives and activities at the present juncture, receive full acquiescence in this Council and the country, though it would be the barest statement of fact to say that but for these special circumstances--the circumstances, that is, of the war and the resultant economic and political conditions--the country would have very audibly groaned under the heavy burden which it has been asked to bear. The struggle in which the Empire, and therefore India, a component part of it, is engaged, is infinitely greater than our *Mahabharat*. The stupendous task requires stupendous exertions and sacrifices ; and, my Lord, you have been the first to recognise that the people of India were not the people to brook the reproach that they were shirkers. Voluntarily and eagerly the prince and peasant of India have rallied round the British flag ; the peasant, when he knew that the Padishah wanted his services, came forward to go wherever he might be required and fight as all the world now knows how he can fight ; the prince came forward with an equal spontaneity and laid at the feet of his liege Lord, his personal services and the means at his disposal--contributions in men and money. We have very recently been told that India's contribution has so far been 6 millions ; but the war demands further sacrifices, and for these, the people of India are fully and cheerfully prepared.

“ But, though the huge sum that my friend the Hon'ble Finance Member's Budget finds it necessary to provide for the needs of this Dependency and the Empire at the present juncture may not have been calculated in a pessimistic frame of mind, so far as expenditure is concerned, surely a good deal of sanguine estimating has been at work, on the revenue side of the accounts. What I mean to say is, that the immediate demands on the Indian tax-payers, in my humble opinion, are considerably more than they need have been. The successful floatation by the Government of India of the War Loan of the last year warrants the belief that a very large portion of the amount required by the Hon'ble Finance Member for the adjustment of his Budget could be, and should have been, raised by the same expedient, namely, by another loan by Government. In the last resort, even this would have pressed on the Indian tax-payer, but this pressure would not be so immediate nor so insistent, and therefore less irksome than the method of wholesale

[ *Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad.* ] [ 24TH MARCH, 1916. ]

additional and immediate taxation. Increased taxation could not perhaps be altogether avoided under the circumstances which are at present operative; it is only the extent to which this weapon of raising revenue should have been used which is open to discussion or determination.

"One thing, my Lord, I will commend with all earnestness to your acceptance and that of the Council; and that is, that the increased taxation or at least a portion of it to which the country is being subjected, should have as short a lease of life as possible, and that this should now be explicitly stated. My Lord, as I have said, but for this war, to the successful prosecution of which every one of us is prepared to make any sacrifice that may be demanded, the country would have very audibly groaned under the proposed heavy burden; the burden is not less heavy because, in full appreciation of the needs of the Empire, the country is willing to shoulder it; it will, however, make the bearing of it more tolerable if the tax-payer knew that it would be taken off at the end of a period, not unduly prolonged. On this point, unfortunately, the statement of my friend the Hon'ble Finance Member is silent; I would therefore propose that it should be announced by your Excellency that the large increase in taxation which the Government of India have found it necessary to impose as an exceptional measure will be temporary in duration, and that it will have effect only for such brief period after the conclusion of the war as is absolutely necessary. Such an announcement will greatly assuage the concern of the people of this country, and it will be fitting that it should come from the lips of one from whom the millions of India have always expected, and invariably received messages of good-will, sympathy and help.

"My Lord, the question which the Hon'ble Finance Minister has anticipated in connection with the retention of that anomaly of anomalies, the Cotton Excise duties, without any enhancement of the import duties is still, I submit, exercising the minds of many of us, my Hon'ble friend's assurances notwithstanding. The anxiety of His Majesty's Government not to raise this question at the present time is not comprehensible, for this question has left that stage far behind when it could be described as contentious or controversial. And, surely, if Lancashire or Manchester cannot even now lift themselves out of the narrow groove of parochial interests, the evil forebodings of the pessimistic with regard to the futility of the hope of ultimate settlement of larger issues in a liberal spirit in favour of India will present themselves with greater force. The blood of the Indian Sepoy in the cause of the Empire has, one would hope, now flowed freely enough to have washed away such iniquities, as the question of the countervailing cotton duties, even if for the solution of the larger and more comprehensive issues, one had to wait 'till after the war.'

"My Lord, one expected that the Budget would reveal a real effort at saving, conserving and husbanding of the present revenue, before imposing further burdens on the tax-payer. Has that been sufficiently done? When British Ministers are impressing the need of national and individual economy in view of the demands of the war, and reduction in the salaries of public servants are the order of the day, certain branches of the public service in India are receiving compensation allowance for the block in their promotion owing to the war.

"My Lord, this does not seem right. At a time such as this, it is imperative that the most rigid economy should prevail in the public services. To effect this, all expenditure should be scrutinized and restricted as closely as possible, and an extended employment of Indians insisted on. I would go even further than this. Although I should never grudge a single pie spent on Education, yet if the choice lay between a considerable increase in taxation and the temporary curtailment of the grant to Education, I would, though with a heavy heart, vote for the latter. If the worst came to the worst, before taxing the people, I would take away from the Civilian and the Schoolmaster, so that the soldier may fight the better.

[ 24TH MARCH, 1916.]

[ *Raja Sir Muhammad Ali Muhammad Khan of Mahmudabad ; Sir Gangadhar Chitnavis.* ]

“The concern that the last Budget, to be presented under your Excellency’s auspices, should be marked by the necessity of a large increase in taxation, is shared by all of us ; but, my Lord, the beneficence and the real sympathy, which have been the transparent characteristic of every public action of your Excellency, have so captured the heart of India that these blemishes on the serene surface of your administration only remind us that they are not your creations, but of circumstances which an inscrutable Destiny has brought into being.

“I cannot conclude, my Lord, without a reference to the sad fact that this will be the last occasion when this Council will have the honour of being presided over by you. But the impress of your great personality will always remain on it, and I can assert that this Council will have a loftier sense of its duties and responsibilities by having been guided during six eventful years by you.

“I am, my Lord, one of the few Members who have had the good fortune of having sat on your Legislative Council during the whole period of your office. It has indeed been a period of pleasant, though strenuous, work. You have infused into the Council a spirit of liberal toleration and mutual understanding, and each one of us has personally felt that the head of the Government was not only anxious to know, but to appreciate, and, if possible, to sympathise with, our respective points of view. Outside this Council, the country has felt the same. To very few of your distinguished predecessors, the gift was vouchsafed of such deep understanding of the workings of the Indian heart, that responsive heart of this country of emotions and not of cold calculating reasonings, the tenderest chords of which you have touched. My Lord, whether it was the vindication of the right of the Indian in the self-governing Colonies, or his hope of greater confidence in him in times of crises, or his appeal to you where his religious principles or usages were, as he fancied, being interfered with, you have championed his cause in a spirit of true statesmanship. In a word, you have placed yourself at the head of Indian aspiration and not lagged behind.

“And in leaving India, at this time of supreme crisis in the affairs of the world, contented and more attached to the British connection than when you found it, you have effected a consummation of which only one man in this vast Empire was capable. That man was Baron Hardinge of Penshurst.”

**The Hon’ble Sir Gangadhar Chitnavis :—**“My Lord, the Budget, as has been very rightly remarked by my friends the Hon’ble Maharaja of Kasimbazar and the Hon’ble Raja of Mahmudabad, has been well received in the country. The people have cheerfully responded to the call for sacrifices in view of the war ; both the extraordinary expenses incurred and the extra taxation imposed have met with public approval, though, as we all hope, these extra burdens will be temporary only. The Hon’ble Sir William Meyer’s clear exposition of the financial situation, for which he deserves all credit, has undoubtedly gone some way to popularise the Budget, but it should be frankly recognised that the welcome it has received has a far stronger basis in the loyal attitude of the whole community. Were it not for their genuine enthusiasm in the righteous cause of the Allies and their determination to help them to the utmost in the successful prosecution of the war, it would have been difficult to reconcile the people to the extra burdens at a time when most of them have suffered pecuniarily in a variety of ways. My Lord, in the absence of a periodical comparative statement regarding the economic condition of the people, it is difficult to substantiate the proposition by authorities, but it admits of little doubt that, though the resources of certain classes have increased, the resources of large numbers of men are still inadequate, compared to the cost of living which has reached a high level. In the interests of both Government and the people, therefore, one would like to have a periodical inquiry about the average income per head of population. On the results of such inquiry alone, a fairer conclusion about the incidence of taxation could be

drawn. The absence of the suggested data places us at a disadvantage in the discussion of the oft-repeated question as to the share India has taken in the financial burdens of the war. While India's brilliant response to the call of the Empire is generously acknowledged by both the Imperial Government and the Colonies, there is noticeable in some quarters an unfortunate suspicion that our contribution has been negligible, not only absolutely, but relatively to our capacity. It is invidious to have to refer to our own action, but we would remind these critics that, financially at any rate, we have done for the Empire equal to the Colonies. For years we have maintained, at a huge annual cost, the splendid army which has rendered inestimable service in the present war at the various fronts. We have borne, and we still bear, the whole cost of the Indian army that is now on the field. The Hon'ble Sir William Meyer, I thankfully acknowledge, has, in paragraph 81 of his speech of the 1st March given a summary of the services rendered by India at this crisis, and has demonstrated by figures the heavy burdens undertaken by us. Add to this the various War Funds and Ambulance Funds and Motor Funds to which the people have subscribed liberally. When stock is taken of all this, it will be seen that the total of our contribution is not small. And from my knowledge of our condition, I beg to add that we have not spared ourselves. Neither is there any desire among any of us to spare ourselves. I do not say all this in a boastful spirit, nor with a view to claim special credit for acts which have been done under a sense of duty. We are all fully cognisant of the incalculable advantage to India of forming a part of the British Empire. The people have realised this at this great crisis more than ever before, and have felt what India owes for the security she enjoys even in these troublesome times, to the mighty protection offered by His Majesty's invincible Navy. If we at all refer to our services and our sacrifices, we do that only to meet a charge of indifference which seems to be unjust. It should also be borne in mind that many respectable Indians have volunteered their services at the front, and have been mentioned in despatches; among these we are glad and proud to find the names of two of our Members of this Council, one of whom Malik Umar Hayat Khan is present among us for the present, but who will shortly go back to the scene of his labours from where we all hope along with His Majesty's other soldiers he will come back with the laurels of victory.

" My Lord, the time has not come for putting forward our claims to political advancement, and we have no desire to press them now; but since the commencement of hostilities, there have been numerous references to the question of India's position in the Empire on the restoration of peace. It is permissible, therefore, to express the hope that that position would be one of honour and trust and sound economic strength, and that, in the event of the lessons of this war necessitating heavy military charges over and above the former standard, the apportionment of India's share will be made carefully, and equitably, in consultation with Indian representatives, on the principles laid down by the Welby Commission. The Hon'ble Sir William Meyer, in the course of his speech on the 1st instant, referred to the determination at the end of the war of India's fiscal relationship with the rest of the Empire. We all sincerely hope there will be a fair settlement with an eye to India's economic interests. We also hope that, as a corollary to the more dignified position India will then occupy in the Empire, she will be represented adequately and directly in the Councils of the Empire.

" But, my Lord, the time is unfortunately not yet when these questions can be profitably discussed. The war is still on, and for the time being the one point of vital interest is the condition of our finances. The Hon'ble Sir William Meyer has shown how sound it is. He has also, with judgment and forethought, endeavoured to improve the Indian market for Rupee Paper. It seems clear for long years to come we shall have to depend upon that market for our periodical loans; and it is right that we should do so. It is most illogical and inequitable that we should borrow money elsewhere for our productive works. Whatever amount can be raised within the country should be raised. But the present state of the market for the  $3\frac{1}{2}$  per cent. stock is discouraging. The Hon'ble Sir William Meyer's action for the support of the present stock is,

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therefore, right, and will meet with general approval. The idea of conversion is good, but its success in practical working will depend upon the terms and other details. There is, however, one feature of the scheme outlined in the Hon'ble Sir William Meyer's speech, the full import of which should be realised by us. It is not its influence upon the market alone that recommends it. Its moral effect upon the people far outweighs that. It will encourage thrift among the general population. The offer of conversion being open for three years, the holders of stock will do their utmost to save money to enable them to avail of it. That is a real gain. The Council and the rest of India have learned with the deepest interest notification of the intention of your Excellency's Government to appoint a commission to consider the possibilities of State aid to our industries. We trust that, though it has been found necessary to exclude from the scope of the Commission's inquiries the question of fiscal protection to our industries, this important subject will receive full consideration at the proper time.

"My Lord, if I may be permitted to allude to a local question of deep interest and importance, I should like to take this opportunity of expressing the hope that the claims of the Central Provinces and Berar to be elevated to the rank of a Lieutenant-Governorship may receive early consideration.

"My Lord, the impending retirements are distressing to us. The Hon'ble Sir William Clark has, by his ability and courtesy, made such a deep impression that we part with him with genuine regret. We only wish success will attend him all through his after-life. Your Excellency's retirement has filled the whole country with sorrow. We all realise how, throughout your Viceroyalty during most troublous times, peace has been maintained, and you have always stood up for India's honour. We had fully expected your Excellency would continue to be at the head of the administration until the restoration of normal conditions. That hope we have now lost. But let us hope your Excellency will not fail to watch over our interests even in your retirement. May your Excellency enjoy your well earned rest for many a long year to come !"

**The Hon'ble Mr. Stewart :—**"My Lord, I have not spoken as yet on the Budget, because, when one has failed to make any impression on the Hon'ble Finance Member in Select Committee and elsewhere, it is really a waste of time to assail him further after he has donned his armour to meet all comers in open Council attacks, always provided that one's case is registered for record and future consideration—and still more because, though it is my duty to those whom I represent and to myself to state that case, I am most anxious not to appear in any way opposed to considered Government legislation in this time of war. I do wish indeed that the Hon'ble Finance Member could simply have said to the Council—'These are abnormal and exceptional times, and I must therefore take exceptional measures to raise what I consider the requisite amount of money, and I look to the whole Council to support me.' For, in normal circumstances, I should strongly have opposed the idea of budgetting for any considerable surplus by means of increased taxation, especially looking to the very conservative basis on which the financial estimates are framed. But the circumstances are not normal, and I do not think that a surplus can be regarded as any certainty. I take only one fact, that the net military expenditure for the year now closing is nearly £1,900,000 in excess of the 20 millions pounds sterling which were budgetted for last March ; and I remember that history has a habit of repeating itself.

"One further general item to which I wish to refer is the railway allotment. I cannot, for the reasons given, disagree with its reduction to 3 millions sterling for the coming year, but I do hope that Government will state definitely that, as soon as possible, they will inaugurate a much more generous railway policy than has sometimes prevailed in the past. I regard this as vital to the industrial and economic development of the country about which we heard something three days ago. I should also like a statement that neither this necessary limitation of railway expenditure, nor their laudable desire to increase the output of munitions will be allowed, in any way, to interfere with the

due upkeep of railways and their rolling stock and with proper repairs. This would be very false economy, and I have to raise the point, as it has already aroused some attention.

“Then I turn to the export taxes. The strong opinion of the commercial community which I represent is that the desirability of these export taxes remains to be proved. We dislike them on principle, and we have doubts as to even their expediency, and we believe Government to share those doubts. Our position is, in short, that we consent cheerfully to their temporary imposition as a means by which Government, in the present difficult circumstances, will raise a very considerable amount of money, but we do expect them to be withdrawn as soon as possible. As regards the jute and gunny tax, I would mention that this, calculated roughly at 5 per cent *ad valorem* on current high prices, is already heavy, and may prove a considerable handicap to two of India's staple industries when prices fall again as they inevitably will. I dismiss as lightly as did the Hon'ble the Finance Member, the airy and irresponsible suggestion that was made that this new and untried tax should be doubled *ab initio*.

“Turning to the new tea tax, I must develop the position a little more fully. The tea industry has admittedly been prosperous for two or three years past, but, as has been pointed out to the Hon'ble Member for Commerce and Industry, the large dividends paid by certain gardens which are privately owned and capitalised are apt to be somewhat misleading, and the prosperity of the industry, to a certain extent at least, has recently been fictitious, as it has been due largely to freight difficulties, to the trouble about getting teas home, and to consequent speculation there as to a possible shortage of supplies. And then the tax is bound, I think, to handicap Indian-grown teas to an appreciable extent in contrast with those exported from Java and China. Java is a particularly formidable rival, as will be seen from the fact that her annual exports of tea for the last six years have risen steadily, year by year, from 40 million pounds to 100 million pounds, and are increasing, especially rapidly, to Russia, our own best and most promising customer, and to Australia. The tea tax amounts to a farthing a pound, in addition to which, it must be remembered, that there is already an import duty at home of one shilling a pound. I must own that I could not quite follow the Hon'ble the Finance Member when he seemed to argue that this extra 49th farthing, as he put it, not to be paid by China or Java, should not prove an appreciable burden to the Indian industry, for I have by me a statement showing that 69 Indian Tea Companies with a capital of  $2\frac{1}{4}$  crores of rupees in 1914, a good year for tea, made a profit on the cost of their production of 172 annas per pound. This would bring the tax out at about  $14\frac{1}{2}$  per cent.; and it must be remembered too that the cost of production does not fall with a falling market, and that it will be increased, I think, to a rather considerable extent by the new import taxes on packing materials, etc. Therefore, I think, the tea industry are justified in claiming that this tax should be withdrawn as soon as it really is possible, and also that, if there is a surplus, part of it should be spent in the tea districts, where there is urgent need of money for improved communications and so forth. I think I am also in order in asking that the tax should not be levied on last season's teas, as I do not think that it was meant to have retrospective effect. Lastly, with regard to exports, I would say that a good deal of surprise has been occasioned by the omission to levy any export duty on cotton.

“Turning to the import duties, I have less to say, for I think most people recognised that these had to be raised, and I thank the Hon'ble the Finance Member for his clear statement that tariff values will continue to be fixed from year to year as at present. But some of these import taxes do seem likely to retard the industrial development of the country, and I trust that, in such instances, exemption will be granted on the merits of each case. I allude particularly to the case of branch and light railways, and to new industrial, electrical and chemical enterprises—I have an important group of such in my mind as I speak—and, I think, in the case of railways it is particularly clear, where Government fix the amount of capital which may be raised for them, fix the rates which they may charge, and guarantee a certain interest. I hope,

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therefore, that they may be exempted from the increased tax, or that, at any rate, as Government has very rightly decided in the case of forward gunny and jute commitments and of teas sold up to the end of February, it will not be levied on contracts entered into prior to the 1st of March.

“ With regard to the tax on jewels, pearls have been exempted from its operation at the instance of Bombay, and Calcutta, with whom Delhi will probably join, has asked that precious stones should be exempted also. With regard to dye-stuffs, it has caused some surprise, in view of the great demand for them, that these are subjected to such a heavy penalty as  $7\frac{1}{2}$  per cent.

“ Then I come to the income-tax. An income-tax is generally regarded as a very fair one, and I entirely agree with the principle of graduation; but, with all due deference to my Hon'ble friend Pandit Madan Mohan Malaviya, I would say that the Indian income-tax is eminently and widely unpopular for the reason given by the Hon'ble the Finance Member himself in his almost cynically frank explanation of its incidence. Does he really mean that only 332,000 people in India are liable to pay this tax, and still more, that only 13,000 individuals are liable to pay it on the highest scale? How does he propose to remedy matters? Does he mean to remodel the entire Income-tax Collection Department? The Hon'ble the Finance Member also pointed out the marked difference even now in amount between the English and the Indian income-tax, but he did not make any reference to the grave injustice by which many people have to pay both. Can he do anything to help here? Personally—I speak entirely for myself on this question—I would rather have seen the £900,000 which this increased income-tax is expected to bring in levied by means of a small war surcharge on railway passenger fares or on railway freight rates, excluding from the operation of the former a radius of, say, 20 miles round our principal centres of population. Or again, by a very rough computation of figures kindly furnished to me by the Hon'ble Mr. Harrison, I reckon that nearly half a million sterling could have been raised by a small war tax of, say, one anna on inland telegrams, and of 3 pies on letters. I deliberately excluded post-cards from my calculations—on these a tax of 3 pies again would have brought in nearly £500,000 more—because post-cards in India are the means of communication of the poor—and I am absolutely and whole-heartedly with all who desire to minimise their burdens.

“ The Hon'ble the Finance Member has not yet developed his borrowing programme for the coming year, and I therefore confine myself to saying that his references to it in the Financial Statement caused perhaps a little uneasiness and a slight decline in Government paper. But I am sure that he will find plenty of money for his purposes in this country, if he is willing to pay for it. I am sure, too, that he will be guided by what is done at Home, and by consultation with representative financial bodies in India. And I would congratulate him heartily on the success of his policy to promote our currency circulation.

“ I have now, my Lord, concluded the detailed remarks which I have thought it my duty to make with reference to the Budget. The Hon'ble Finance Member cannot of course consult us in advance, but it is not presumptuous to hope that our views will receive his consideration when budgetting time comes round again. I have, therefore, ventured to develop them at some length. Over the Budget, as a whole, I cannot rhapsodise; I do not think I am expected to do so, but I do honestly think that, looking to the difficult circumstances, it is, on the whole, a fair one with the exception perhaps of the tea taxation, and such as has retrospective effect, and I take leave to congratulate the Hon'ble Finance Member on the skill with which he has explained, and where necessary, defended it. And, while it is true that the Hon'ble the Finance Member has appeared to argue that it is not a War Budget, with the idea presumably of avoiding having to promise that its imposts shall be removed after the war, he admits that this taxation is directly due to circumstances arising out of the war. I, therefore, do consider it a 'War Budget' and, looking at it from that point of view, I should simply hate

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it—and so I am certain would all whom I represent—if one word that I have said could be construed as opposed to measures necessary for the administration of the country during these times. We in Bengal and Assam, with their great interests centering in Calcutta, are perfectly well aware what proportion of the new imposts we have to pay, and we note with appropriate feelings the Hon'ble Finance Member's recognition of the greatness of Calcutta. But, when one thinks of the drastic legislation which has been found necessary at Home, in Canada and in the Dominions generally, and far above and beyond this of the glorious fact that millions from India and all over the world are giving their lives and the lives of those nearest and dearest to them for the Empire, one realises that ours is no great burden, and we are proud and glad to bear it, such as it is. If there is not very much that we can do ourselves, we who cannot go and fight, we can pay.

“My Lord, in this sequence I may conclude my remarks fittingly by saying, with your permission, that it must be a source of real and legitimate satisfaction to you that this, the last Budget of your Excellency's Administration, will fall so lightly on the really poor of this great land, to which you have devoted yourself so unsparingly and so courageously during the past five and a half eventful years.”

**The Hon'ble Raja Syed Abu Jafar of Pirpur :—**“My Lord, it affords me genuine pleasure to welcome the Budget presented by the Hon'ble the Finance Member, and to express my gratification at the excellent and wise manner in which he has prepared it. Unfortunately, we are confronted with an extraordinary situation of a world-wide conflict which has affected the financial and economic position throughout the civilized world. We were agreeably surprised at finding the financial situation of our country last year so satisfactory as to enable the Hon'ble the Finance Member to avoid proposing any new taxation in his last Budget. But what could be avoided last year, has had to be faced this year, and we have noticed increased taxation in several directions. But, although fresh taxes have been imposed owing to the estimated deficit in the Budget, I cannot help admitting that these taxes have been carefully thought out. The increase in tariff rates levied on imported foreign goods will not only provide additional revenue to the Government, but will also help, in my opinion, to give a kind of protection to some of our indigenous industries. The only item of taxation, with which I am unable to reconcile myself, is the increased tax on salt, because it is a necessary ingredient of the food of the people. The burden of such a tax will be felt especially by the poorer classes, a fact which the Hon'ble the Finance Member has himself recognised in his Financial Statement. I earnestly hope that, as soon as the necessity for the taxes levied this year disappears, they will be abolished, and that the salt tax will be the first to go.

“We have heard, with great satisfaction, the news that the Government have appointed a representative Commission to survey the economic resources and industrial possibilities of India with a view to promote business enterprise after the war. I trust that the investigations and suggestions of this Commission will be extremely beneficial to our commerce and industry, and will open up fresh fields for industrial development. Coming from the United Provinces, I should like to draw the attention of the Government to the vast scope for industrial enterprise in those provinces. The large amount of agricultural produce which the United Provinces grow can, with great advantage, be turned into manufactured articles. It has to be regretfully admitted that my Province is still very backward in this matter as compared with other major provinces. From the steps taken by the Local Government in recent years, it appears that it is also alive to this drawback, and is anxious to make serious efforts in this direction. I hope that the Commission will pay its special attention to the resources and possibilities of industrial development of the United Provinces, and that guided by its suggestions, we shall be in a position to manufacture a large portion of the agricultural produce which we are exporting at present as raw material and a part of which comes back to us, as manufactured goods.

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"The establishment of a technological institution has been a great want of the United Provinces, and I earnestly trust that, in view of the great awakening in industrial matters, Government will be pleased to take the question into their favourable consideration, and help to provide it in the immediate future.

"There is only one more point to which I should like to refer, and it is in connection with Sarda Canal project. The scheme is at present under the consideration of the Government, and, if carried out, will prove of great advantage and benefit to my Province. It will tend to the fertility and prosperity of a considerable part of it. I trust that this project will receive sympathetic consideration at the hands of the Government, and that it will soon be sanctioned to promote our agricultural interests

"My Lord, before I conclude my remarks, I may be allowed to refer to the impending retirement of your Excellency from your exalted office in India. The people of India part with you with feelings of gratitude and sorrow. Your Excellency's beneficent and illustrious *regime* will remain as a glorious monument in the history of British rule in India. The people of this country will gratefully remember the many and varied services which you have rendered to the cause of India, and earnestly trust that you will give the benefit of your great gifts in promoting the best interests of this country in England."

**The Hon'ble Rai Ghanasyam Barua Bahadur:**—"My Lord, a year of deficit budget is no happy time for a Finance Minister, and this unfortunately is such a year. The people were, however, prepared for it, and it was only the details that they were in anxious suspense to hear on the day the Financial Statement was introduced. The careful and painstaking way in which the Budget was prepared, and the judicious manner in which the new taxes were distributed, combined with the explanations that were lucidly given and the indications made as to how our discussions were to be guarded, should have left not much room for a lengthy or lively debate on it. We should, however, thank some of our Hon'ble colleagues in not letting the Budget go as dull a business as it appeared to be; and the Hon'ble Sir William Meyer has only to be pleased for the life that the debate gave to the otherwise dull affair. It may be doubted whether the debate was suited to the occasion, or should be expected to have had that educative effect on the people, which the voice that goes forth from this Council is expected to have; but as having given the Finance Minister an opportunity of further explaining himself, they served quite a good purpose. He should be gratified to find that the bulk of opinion was in his favour, and that many of us feel that, even if the Finance Member were an Indian, he could not have made out a better Budget without committing a mistake. I doubt not that Sir William Meyer's feeling for India and her people is as real as himself, and we shall be only doing him justice by appreciating it. It would be too much to expect that the dreadful war will come to an end so soon as to afford sufficient years of peace to enable him before he lays down his office to relieve us of the taxation which it has necessitated; but I hope the Government will remember that the taxes imposed this year are emergency taxes, that the people treat them as such, and that as soon as possible after the war they will admit of reconsideration.

"I take this opportunity of speaking a few words about the tea tax, and some remarks that the Hon'ble the Finance Member has made about it. The single ground of the example of Ceylon having been followed should have sufficed for convincing the planters of their duty on the occasion, and the planters of Assam will, I have no doubt, loyally accept the burden put on their trade in view of the situation explained by him; but I venture to think that some of the other grounds set forth may well be treated as open to comment. It has been said that tea should be taxed, because the tea business has an industrial character, and has enjoyed exemption from income-tax for 30 years.

"I submit that tea is essentially an agricultural produce, as much as rice or wheat, with the only difference that it requires a good deal more of extra expense than those staples to make it marketable. It has not even the transformation which sugar-cane, which is treated as an agricultural produce, undergoes in producing coarse sugar. The exemption of tea from income-tax as an agricultural produce is, therefore, only its due, and ought not, in justice, to be made a ground for taxation. The tea business has paid more in land-revenue than it would have paid in income-tax on profits, and the tea planters will perhaps be prepared to make an exchange with Government for paying the income-tax in lieu of land-revenue.

"The temporary prosperity of the business should also hardly be taken into account to put a permanent tax on it. It had its days of severe trial from time to time, and perhaps such days are in store for it in future too. Even in these prosperous days, I do not think the average planter may aspire for much above 2 annas a pound for his net profit. The tax imposed is thus double the highest income-tax now proposed, and about five times the highest rates before. Here also an exchange of the taxes will be to their advantage. Tea is already taxed heavily at Home. And here, in addition to the land-revenue it directly contributes, it indirectly supplies a fruitful source of income-tax in the salaries and commissions paid to its employes. Over and above all these, the tea planter is creating a permanent and ever expanding source of income to Government in the shape of land-revenue from the emigrants settling down in the tea districts as permanent tenants of Government. I submit, therefore, that the tea business deserves very lenient treatment in the matter of taxation, and no excuse should be made of its lawful share in the exemption from income-tax to put an extra tax on it. It requires no protective duty here, as it must seek a market abroad. I hope the tax will be treated only as a war tax, and removed as soon as normal conditions return, or even earlier, should any reverse occur to the extra prosperity it is having for these two years.

"It is, my Lord, very sad indeed to reflect that this is the last day on which this Council has the proud privilege of being under your wise and sympathetic guidance. From the beginning to the end of the term of your exalted office, even the most cursory observer will notice an unceasing effort on your Excellency's part, not in the slightest degree weakened or abated by the most trying of human calamities, to uplift India and elevate her people intellectually, morally and politically. Your Excellency remarked in referring to your august predecessor in connection with the reformed councils that it was as brave a step as it was wise. I have little doubt from what I have seen during the small period I have had the privilege of being associated with this Council, that India will be able to prove that wisdom was the greater part of it. Equally brave and wise, if not more, will prove many a step your Excellency has taken to work out the future of India. By the territorial readjustments announced by His Gracious Majesty at the Coronation Durbar, your Excellency conceived a readjustment of the political forces of India in a way that is calculated to immensely improve the political tone of India, and conduce to her healthy political development. Your Excellency's Viceroyalty will form one of the most brilliant chapters in the history of India, and God willing, all posterity will have reason to gratefully remember this epoch-making period in India, and cheerfully taste of the fruits of the tree, the seed whereof has been truly sown by you. Even in this dismal war, I see the hand of Providence aiding your Excellency's benevolent efforts by giving you a great and grand chance of serving India's cause. You have given, my Lord, a practical shape and form to the policy announced in the Royal Proclamations of our successive Sovereigns, and to the message of hope brought to us by our present gracious King-Emperor that his Indian subjects are to be treated equally with the rest of their fellow-subjects. I hope your Excellency's efforts will be rewarded by a loyal response in India both by the Europeans and Indians. I hope they will not only be inspired by the many personal examples of virtues of the highest order, which it will profit anybody to imitate, but will also remember the advices conveyed in your utterances, public and private, and by the general policy pursued, and consent on the one side, to

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relax and gradually part with powers wielded, and on the other, learn to use the privileges, and prove their worth for more ; to realise that the true interests both of England and of India lie in real, sincere and intelligent co-operation on both sides. My Lord, you have done for India all that you could in the time at your disposal and that to the very last. From the day you set your foot on this fallen land to the eve of your departure, from the memorable incognito visit to students' messes in Calcutta, to the announcements on the questions of indentured labour and Indian industries the other day, your labours show an uninterrupted zeal and continuity.

" It is sad to reflect, my Lord, what sufferings and privations to your august self will be inevitably associated with your recollections of India. But India has seen, and the world has seen, that your soul soars much higher than adversities of this mortal world can reach. May God, the Eternal Father of all, shower his choicest rewards on you both here and hereafter. India cannot sufficiently repay your Excellency for all you have done for her. Her humble tribute is a tribute of deep love and gratitude to your Excellency, and a message of devoted loyalty and dutiful homage to her most gracious Sovereign. We shall remember your Lordship with gratitude, and we are confident your Excellency will always remember India and her cause, though bodily removed from her soil."

**The Hon'ble Malik Umar Hyat Khan:—**" My Lord, I have keenly followed this session's debates which have revived again in my mind the memories of Indian politics, and that is why I am going to touch on some points connected with the Budget. I have, on previous occasions this session, avoided entering into debate on the principle that complete unanimity and concord should at this juncture exist between the Government and the people of India. I think it would have been wise if some of the controversial questions brought forward by some of the Members had been avoided.

" Thus during the debates, I did not agree with the attitude adopted by some of them when they tried to prove that the Government of India were unmindful of their duty, that their neglect in providing sanitary arrangements and sufficient medical aid had resulted in the death of hundreds and thousands of poor people. Such impressions, when embodied in public speeches during the war, are undesirable especially when they are mostly misleading to the ignorant. How would the masses feel if strict sanitary discipline was to be enforced ; surely, they would consider it harsh treatment and would resent it. Take, for example, the troublesome time when it was sought to enforce plague inoculation on the people. Then as to medical aid, there are still places where the people resort to the old traditional custom of curing malaria by the device of putting up dummies in the shape of a blanket on a spinning wheel, or tying cord round a ' Jand ' tree to cheat the fever to catch either the wheel, or the tree instead of the patient. Even now a large number of people go to local quacks, when the dispensary is also within their easy reach. Then, if people suffer for their own mistakes and ignorance, it is unjust to accuse Government of it.

" I think perhaps the cause of some controversies is due to the fact that the tenure of the Un-official Members of the Legislative Council is about to terminate. For that cause, I must express regret that it was not found possible to extend, till the end of the war, the term of the Non-official Members of the Viceroy's Council like that of the Members of the Parliament. Though this question does not affect me personally, for I am not going to stand for election, but I do think that some of my Hon'ble colleagues have had one eye on the electors when making their speeches.

" As to the Budget, I can safely say that the Government of India have imposed duties and taxes on the right articles when viewed from the Imperial point of view. If the Government had not taxed salt at such an abnormal time, I would have not only urged for taxation, but rather would have strongly criticised the omission. I think it is a mere show if one leads the poor to think that duty on salt touches their pockets, and that those who oppose the Govern-

ment and urge its abolition, are championing their cause. The poor in India are relatively much better off and more affluent than those of another Empire, which I have recently seen. The latter have no funds at all to buy salt with, and there are countries where salt is not considered even a vital necessity of life. I am convinced that there could not have been a better Budget, and I must congratulate the Finance Minister thereon. I am amazed to see such a striking and rapid progress made by the Government of India towards meeting the peoples' wishes, and it would not be going too far to say that it has now proved itself to be the peoples' own Government and so practically a *Swaraj*.

"I may remind the Council that, ever since I became one of its Members, I have taken every possible opportunity prominently to put before it matters relating to the Army, and have always opposed those who have advocated a reduction in it. In and out of the Council, I have been urging the Government for the past six years to raise Yeomanry and Volunteers, and to build warships and aircrafts, etc., and have since submitted schemes dwelling upon the necessity of increasing the strength and efficiency of the Indian Army. I have also asked for increase of pensions and grant of lands to soldiers with or without service conditions, etc. Now, owing to the necessities of the present war most of what I have been asking has been provided for as a sheer necessity to meet the situation.

"But all this I had asked long before the hostilities broke out. I cannot say now anything publicly on the subject, because all that I have thought fit I have put before the authorities privately; and if any further suggestion occurs to me, it would go through the same channel as that seems to be the best way possible at present. There is one matter, however, which I want to put before my country, and not so much before the Government, and before doing so, I want every one to clearly understand that India has done her part marvellously well under the government of Lord Hardinge the Great, which has helped the Army in every possible way. It is not only his government which has done so well at the time of the present crisis, but the people too have nobly responded to the call of duty, and have not lagged behind in respect of money or coming forward as recruits. But things cannot rest here, and we ought to consider ahead for the future well-being of the country. And this is the point I now want to emphasise. It is common knowledge that experiences of the war have proved to the Supreme Government the vital necessity of introducing compulsory service in the United Kingdom. When we know that we are one of its component parts, we should not lag behind, but make progress along with the whole. And now that conscription has been decided upon, we Indians, if not adopting the same principle, should at least go to the extent of registration not in order to send all the able-bodied men to fight, but with a view to know what we possess in the way of resources in men. If registration may not be desirable in every province of India, it may be tried only among certain classes and in certain areas as a tentative measure, and then gradually extended. The resources of India in men are so great that, even if this system is not enforced, the requirements of the present war may be served, but it is for two reasons based on future precautions that I put this before the country; firstly, that only the best of men, who know their duty and come forward, may not bear all the brunt of this struggle while the shirkers enjoy immunity at their expense. Secondly, by putting this forward, I contemplate future eventualities and safeguards. The reason of putting this now before the Council is, that the people who realise their responsibility should enforce the advisability of registration on the Government, and I appeal to all the leading associations and committees and the press in India to pass resolutions, or make representations in order to move the Government in this direction. By this, I should not be misunderstood to mean that I at once want a big standing army for aggression or armed volunteers for defence; I want the people to rise to the need whenever wanted, and thus take a step in the right direction. When this is done, many other schemes, regarding various problems from local safeguards against robberies and dacoities up to the future defence of the Empire by the aid of overwhelming numbers—the greatest asset to the present-day-warfare—could be formulated, and thus the Empire could emerge out of

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the present struggle stronger and more united than ever to be able to face any unforeseen peril. Why I put this scheme now and want its adoption during the war, is that the people will be more anxious to do things in this direction, whereas when the war successfully ends and the enemy is beaten, they will get slack, and may then never hear a suggestion to this effect.

“ Another cause, which has actuated me to take such a course, is the desire expressed in the press or on the platform, as also in this Council Chamber from leaders of various shades of opinions, of Hindu and Muhammadan communities, that India should be treated on a par with other self-governing Colonies. To ask is one thing and to achieve another. To reach this goal, hard exertion is of supreme necessity. It is an admitted fact that, as the matter stands, we are considered far more backward than the self-governing Colonies. Thus to attain the objective, it will not only be necessary for us to take an equal part with other Colonies in helping the Empire, but we would have to be easy first so as to make our case stronger in order to be able to put forward our claims on the Imperial Government when the time for so doing offers itself. I would have put before the Government the advisability of granting land to families on military tenure, and training the people on Militia basis during that portion of the year when they have least work to do. But I feel that in this matter the people themselves should take the initiative and do the needful, as suggested above. Any Government action to induce people by financial attraction would entail heavy expenditure.

“ While thanking the Government of India and the Punjab Government for granting land to soldiers, I may point out that the area decided to be given was allotted before the war broke out. I hope that during such a colossal conflict, the allotted area may be very much increased; if not, all the available land in the colonies be placed at the disposal of His Excellency the Commander-in-Chief. The soldiers who have served the Empire deserve more consideration at the hands of Government than ordinary agriculturists who have no claims whatever unless they help the administration by producing recruits, or assisting in the suppression of crimes. I thank the Imperial Government, on behalf of Indian soldiers, for having increased their status and honour during the present historic Viceroyalty, as well as for the liberal treatment accorded to them in matters of pay and rations while on service during the period of war, and the great consideration shown to them and to their families by Government and public alike. I am confident that, when the time comes to reward their services, their claims will receive foremost consideration by the Government, because they are fighting for loyalty to the Crown, and are true to the salt of the rulers. The portion of the population which has done nothing but talk and ask for all sorts of things based on visions should not be allowed to benefit at their expense. After the soldiers have been satisfied, then if India is going to be raised to a higher status in the Empire for the glorious deeds not of her soldiers alone, but also for various other acts of loyalty by her civil population, every change for the better will be welcome.

“ My Lord, there is one point to which I draw your Excellency's attention, and that is the rumours so mischievously set afloat throughout the country by a set of irresponsible people. I believe the Government is in full knowledge of it, but I beg to submit that the rumours are more numerous and far in excess than, I believe, is known to the Government. It requires not only drastic measures already adopted by the Government to check the evil, but also an organisation, based on a systematic propaganda, composed of efficient and loyal Indians who should be going about touring and lecturing or speaking in order to convince ignorant people.

“ And then a further addition to the existing Criminal Intelligence Department would be a wise policy. The Criminal Intelligence Department men should not only detect and bring the people to book, but they should also assist the said propaganda by speaking and arguing with the ignorant. The ill-treatment accorded by the enemy to those ill-fated portions of small kingdoms recently overrun by him, should be emphasised and communicated to illiterate people who have no means to learn facts except through ordinary bazar rumours. The papers to them are of no avail, and so, the only

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course open is, that some intelligent men possessing sound information should go round and verbally speak to them on the subject.

"The terrible outrages and cruelties of our enemies should be verbally impressed upon the uneducated, as it is they who form the masses, to enable them to comprehend the sacredness of our cause.

"My Lord, as I have been representing the Punjab Muhammadans on this Council during the current term of my office, I will not be doing my duty if I do not put in a word for them. They have not only been loyal during such a critical juncture, but have voluntarily come forward to fight the battles of the Empire in such huge numbers as to be able to easily top the list of recruitment, even if we ignore Army Service Corps or Cooly Corps in which they have also enlisted. For their exceptional loyalty and zeal, exceptional treatment should be meted out to them, and I hope that their academic institutions at the seat of Government or elsewhere where they educate their sons, may be supplemented by grants from the Provincial, as well as from the Imperial, funds. I also hope that, when money has been collected from a poor and a backward class like the Muhammadan community for the purpose of founding the Muhammadan University, the Government will bestow special consideration and special concessions upon the Muhammadan minority, so that the latter should make progress and not only be more useful members of the Indian Empire, but be equal comrades of their advanced sister communities, and not be a clog in the wheel of their progress.

"In conclusion, I hope, I may be allowed to express my great regret at the decision already come to, namely,—that there should have been a change in the highest office of India at this time; but one has to submit to it as there is no other alternative. A specialist was wanted at a special time, and the greatest of the Viceroys was badly needed at this time of the most dreadful need in the biggest of the wars the world has ever seen. I do not see it through my own glasses, when I say that your Lordship has so captivated the hearts of Indians that it will take time before they can bear separation. Indians are grateful people, and they will ever pray for your Lordship's long life, and will follow your future career with the greatest keenness."

**The Hon'ble Mr. Dadabhoy :—**"My Lord, a deficit Budget with fresh taxation does not ordinarily elicit encomiums upon the Minister, but the present extraordinary situation and the skilful management of our finances to which the Budget before us bears testimony, have secured for the Hon'ble Sir William Meyer felicitations practically from all quarters. Notwithstanding heavy expenditure of an unexpected nature during the year nearing its end, the revised deficit is less than the Budget Estimate by a trifle over 128½ lakhs of rupees. Several unforeseen causes have undoubtedly contributed to the result, but the Hon'ble Finance Member's skilful handling of a difficult situation accounts for much of it. The only item of expenditure open to comment is perhaps the fairly heavy capital outlay on unproductive works. The question of extra taxation to make up a comparatively small deficit in the coming year has already been debated in this Council. The only point, which I should like to press upon the attention of Government in that connection, is that any surplus that may accrue should be applied towards the prevention of ignorance and disease. As Lord Curzon pointed out, the surplus revenue from taxation must, on principle, go back to the people. If reduction in taxation is found immediately impracticable, the best use to which the money could be put would be to support education and sanitation. The Hon'ble Sir William Meyer has himself justified additional taxation by a reference to the claims, among others, of education and sanitation, and I doubt not the principle will be adhered to in practice.

"My Lord, the admonition and rebuke just administered to us by my gallant friend the Hon'ble Malik Umar Hyat Khan will not prevent me from doing my duty, and placing before your Excellency what I have to say on this occasion.

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[ *Mr. Dadabhoy* ]

“ My Lord, the Hon'ble Finance Member's vaticination that—

‘ the experiences and lessons of the war must also add in some directions to our permanent military charges,’

has given rise to some apprehension which his reply to my question on the subject has not helped to dispel. A fuller statement would have been welcome. As it is, we can only hope that the imposition of these additional burdens will be in strict conformity with the principle enunciated in your Excellency's notable speech in Simla in September, 1914, that—

‘ we should accept such portion of the cost of the expeditionary force as would have fallen upon India, had our troops continued to be employed in this country under normal circumstances.’

“ My Lord, in speaking in this Council on the 7th instant, I pointed out how a productive and expanding source of revenue had been unnecessarily abandoned by this Government. I feel, and feel strongly, that our opium revenue has been wantonly sacrificed to sentiment. But whatever justification there may have been for the discontinuance of our opium trade with China, it is difficult to imagine any for the present policy of placing on the market the Indian product at an upset price very much below the average retail price in the consuming country. The price per chest realised by this Government before January was Rs. 1,800, but the information to hand is that the retail price realised by the Hongkong Government worked to Rs. 32,000 per chest, which meant a clear profit to that Government of Rs. 30,000 per chest, or over 1,600 per cent. upon the cost price. I do not see why we should not share in this large profit. The upset price at auction sales can be easily fixed at Rs. 3,000 per chest, which will bring us over a crore of rupees of additional revenue. The abandonment of this easily realisable revenue would require some explanation.

“ My Lord, the revised as also the budgetted railway expenditure is perhaps the lowest in recent history. Adventitious circumstances have prevented the Budget provision being worked up to during the current year. But among the restraining causes by far the more important is the ‘ pressure from the Treasury at Home against undertaking new works ’ The connection of the Imperial Treasury with our railway expenditure is, however, not clear; but the enforced railway policy coincides with Indian public opinion. At the same time, I would request Government attention to the urgent need for a larger outlay upon improvements on open lines. We must be prepared beforehand for handling quickly and efficiently the enormous trade that is sure to follow the present spell of restricted movement. Efforts should be made to maintain in tip-top condition our railways as regards locomotives, rolling stock and permanent way.

“ My Lord, the war, among other things, has produced a complete change in the Government loan policy. Even in the pre-war period, the Hon'ble Sir William Meyer adopted the bold and more equitable plan of raising in India bigger loans for capital outlay upon our railways and irrigation works. What was then an experiment must now form, from the necessities of the situation, the settled policy of Government. Henceforward, we must have more and more of the rupee loans, reducing to that extent our annual programme of sterling borrowings. This is certainly a sound policy, but every effort should be made to support the Indian market for the existing  $3\frac{1}{2}$  per cent. stock. With a view to have an opportunity of discussing the whole question, I gave notice of a Resolution on the subject in December last, but for reasons that appeared to me cogent, it was put off till after the presentation of the Financial Statement. In view, however, of the conversion scheme of Government, I decided to delay the discussion sometime longer. We should await developments, and watch the loan operations next autumn. Meanwhile, I shall satisfy myself with throwing out the suggestion that the conditions and the terms of conversion should be as liberal and attractive as possible, and, further, that the details should be settled in consultation, not only with bankers, but with reliable brokers and large dealers in Government Paper of the different centres.

“ My Lord, it is somewhat regrettable that the educational policy of Government should be stereotyped, and the suggestions of a necessary departure do not

receive prompt consideration. I will deal only with one point by way of illustration. Admittedly, India is an agricultural country ; admittedly, about three-quarters of the total population derive their sustenance from land. The supreme importance of agriculture to economic India is recognised in the maintenance of a combined portfolio of agriculture and revenue. But what about the spread of agricultural education ? There is no attempt at a general spread of agricultural education. We have begun, perhaps, at the wrong end. The Institute at Pusa and the Provincial Colleges are excellent institutions in their way, but we require, more than anything else, an adequate number of special schools of an elementary and secondary nature. The better and more economical course would be to include agriculture as a subject of study in the general elementary schools and to convert a large percentage of the existing secondary schools into, what in Germany are called, ' real ' schools in contradistinction to the gymnasia or the grammar schools, with agriculture occupying a position of some importance in the curriculum. When we have got in this country some such system of widespread agricultural education, the colleges will become far more useful. I hope the Hon'ble Mr Claude Hill, whose association with the department has given public satisfaction, will take up the matter soon with his usual energy, tact and thoroughness

" My Lord, the recrudescence of violent crime all over the country in spite of the most comprehensive repressive legislation, forces into prominence once more the question of Police reorganisation. Making every allowance for difficulties, it must be admitted that the force is wanting in efficiency and trained detective ability. The need for reform is very great indeed. Government is certainly alive to this, and is making efforts to improve the Department. But, in my humble opinion, something more radical and comprehensive is necessary. The supervising and inspecting staff should be thoroughly reorganised, and the graduates of our Universities must be appointed in larger and larger numbers. And the staff must be trained in detective work under first-rate men from England. This means a very much larger expense, but it should be incurred in the interests of good government.

" One other suggestion. Opinion in India is gravitating towards the ideal of her direct representation in the House of Commons by her trusted leaders. The European war will perhaps introduce important changes in the political relations of the outlying units of the Empire to the United Kingdom, and there is more than a possibility of the bonds of union between them being drawn closer. May we Indians not hope to be bound more firmly to England by this great concession also ?

" My Lord, I share the general regret at the Hon'ble Sir William Clark's approaching departure from India, but we are buoyed up with the hope that, in the distinguished career that, for a certainty, awaits him in England, he will translate his sympathy for India into action with greater effect.

" My Lord, the termination of your Excellency's Viceroyalty is viewed by the people with poignant grief. I also associate myself with all the previous speakers on the subject. But may God spare you long, and give you strength and opportunity to employ your talent and power and authority in the great cause of Indian regeneration which has been uppermost in your mind through trial and tribulation during your illustrious Indian career ! "

**The Hon'ble Mr. Birkett :—**" My Lord, I rise to congratulate the Finance Minister on his Budget, and to say a few words thereon. The approval which has been accorded to it by all communities throughout India must be a source of great satisfaction to the Hon'ble Sir William Meyer. For myself, I can only hope that the surplus he has budgetted for will be realised, as in these days of war when large payments may suddenly have to be made, it is most important that the balances of the Government of India should be maintained at a substantial figure.

" With regard to pearls, I think we are all sorry that the duty on these luxuries could not be maintained. As it is, I thank the Hon'ble Sir William Meyer for so promptly exempting them from duty, as otherwise a large and valuable trade would, I think, have been lost to India.

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[ *Mr. Birkett:* ]

“With regard to the new rupee loan, it should be possible, I think, to raise all the amount budgetted for, but until the terms of conversion and the rate of currency of the new loan are known, it is impossible to say what measure of support these proposals will obtain. I am confident, however, that our able Finance Minister will be able to satisfy investors, and that the loan will be a success. If, however, the public are going to be placed in a position to take full advantage of the conversion scheme, the utmost consideration will have to be given to intending investors by the Banks, and to the Banks, by Government.

“The Hon'ble Finance Minister has allowed an allotment of only 3 millions to railways, which will be almost entirely spent on open lines. Taking into consideration all present circumstances, this figure must be taken as a reasonable one, but particularly so as, owing to the difficulty of obtaining material from Home, more could not be spent, and, even if material could be obtained, the very high cost would prove a too prohibitive tax on permanent capital. In this connection, I would, however, like to say this. It is of supreme importance that the trade in this country is carried on, not only the internal trade, but also the foreign trade, which at present is of such consequence to Great Britain and her Allies. We in Bombay are faced at present with a coal famine, and are finding great difficulty in getting down sufficient supplies, not only of coal, but of manganese ore, the latter of which is so badly needed at Home. One of the reasons for the difficulty is that the doubling of the Great Indian Peninsular Railway has only been completed to Badnera. The Badnera-Nagpur section still remains to be done. There is no doubt this very necessary work would greatly facilitate the carriage of coal and manganese to Bombay, the former of which is so urgently required, if the mills are to be kept going, and steamers are allowed to sail, and the latter is no less required, as I have said in England. I would, therefore, venture to suggest the advisability of completing the doubling of the existing line, even if the cost is high, and it is found necessary to turn out the necessary rails at the expense of munitions.

“With regard to the raising of the income-tax, I have not met any one who is not willing to shoulder the burden. There is, however, a widespread belief that it falls on the shoulders of a very few, and that many, who should pay, escape. This, my Lord, is one of the main reasons of the unpopularity of this tax. I hope, therefore, the Government of India will readily sanction any increase in expenditure asked for by Provincial Governments to improve or extend the personnel required for the collection. It is only by these means that the tax can be more efficiently collected.

“I was very glad to hear from the speech of the Hon'ble Mr. Claude Hill that Government were conducting, despite the war, a special investigation in agricultural research, and that the research work at Pusa had resulted in the selection of a new variety of wheat known as Pusa No. 12, which promises to give better results than any of the local varieties, and that Government were trying not only to arrange that the farmer who went in for this variety secured a higher price, but that the buyers also got the benefit by having a special quotation for this variety secured in the Home markets. It is only by means such as these that we can expect the *raiyyat* to venture into new varieties of seeds.

“I congratulate the Finance Minister on his policy, since the war started, of arranging for the encashment of universal notes whenever and wherever possible. The result of this assurance of encashment is seen in the figures of note circulation supplied in the Financial Statement. I also congratulate the Finance Minister for amending the Paper Currency Act, whereby the large sums of gold the Government of India would otherwise be compelled to hold in London, can now be invested in Treasury Bills, an easily realisable and safe security, our Indian trade requirements thereby being adequately met without prejudice to the interests of the Empire.

“In conclusion, I desire to express, on behalf of the mercantile community that I have the honour to represent, our grateful thanks for the measures your Lordship has promoted throughout your tenure of office to bring the relations of Government into close touch with commercial interests. Bombay

particularly, owes a great debt of gratitude to your Excellency, and you will see, when your Excellency comes to us on the 4th of next month, how all classes and communities of the City to which I have the honour to belong appreciate your great services."

**The Hon'ble Sir Fazulbhoy Currimbhoy :—**" My Lord, the most important point in the Budget has been discussed in Council in connection with the two Bills providing additional taxation, and I have already supported the financial arrangements of which that taxation is the principal feature. I may add that the present Budget has increased our confidence in the Hon'ble Sir William Meyer. It is not to be expected that it would satisfy all, but it ought to be, and it has been, welcome to Indians who, Government will be pleased to note, take a broad and sober view of the responsibilities and the difficulties of the present situation. We have trusted Government, and we are glad to find our trust has been justified. The people are with Government on this grave occasion; they are anxious the hands of Government should be strengthened. The Budget, accordingly, has been received by them with satisfaction. I would, however, submit for the consideration of Government, that the annual expenditure for fodder concessions under the special head of 'Famine Relief' might be considerably reduced, if not altogether avoided, by encouraging a proper system of fodder storage throughout areas which are affected periodically with famine. The difficulties of storage are not great, and there is hardly any reason why a scheme of ensilage should not work well. Silos are not unknown in India. The Department of Agriculture and Revenue might well take up the subject, and the Provincial Registrars of Co-operative Credit Societies might, with advantage, devote a part of their time to it. The economic gain to the country will be great, and Government would be able to employ the amount saved in consequence on other useful works of a permanent nature. The importance of the subject will appear from the fact that, in the current year, the actual expenditure for fodder concessions has come up to £40,000, or 6 lakhs of rupees, and the same standard is followed in the Budget provision for the ensuing year under this head; and all this at a period when famine is limited both as regards dimensions and intensity.

" My Lord, any remarks at this stage on the conversion scheme might embarrass Government, but Bombay financial opinion is that the rate at which the conversion of  $3\frac{1}{2}$  per cent. Government Promissory Notes into four per cents. is allowed, and the currency of the new loan must be so attractive as to create a brisk demand for Government paper. Since the announcement by the Hon'ble Finance Member, a weak feeling is noticeable in the market. In my humble opinion, an early decision followed by an early announcement about the terms and conditions of conversion and the budgetted loan is essentially necessary. I am glad the Hon'ble Sir William Meyer proposes to consult shortly the Secretaries of the Presidency Banks at Bombay.

" My Lord, a good deal of interest attaches to the reference in the Hon'ble Sir William Meyer's speech on the 1st instant to the determination of large fiscal issues relating to India at the close of the war. The matter is of paramount importance to the future of this country. A number of questions are outstanding for long years. For instance, the question of fiscal autonomy for India. The question of favoured-nation treatment for India in foreign countries is equally important. It is imperatively necessary for our best interests, therefore, that we should have in them, what is known as the most favoured-nation treatment. This point should be considered and determined after the war, along with the question of fiscal autonomy. We feel reassured the Secretary of State for India has promised consideration of fiscal issues after the war. The Government of India has been with us all along, and I have no doubt all outstanding fiscal questions will be satisfactorily settled in consultation with the representatives of that Government.

" My Lord, your Excellency has done a great act of justice to India by recommending to the Secretary of State for India the abolition of the indenture system of emigration. But there is another point. We still want

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facilities for free emigration oversea. The whole of this important question will have to be settled with due regard to Indian interests after the war, in consultation and cordial co-operation with the Imperial Government and the Colonies. It would perhaps satisfy all interests better if, while regulating Indian emigration to the self-governing Colonies on the basis of 'complete reciprocity', sufficiently large areas oversea with advantages of climate, soil, proximity and facilities of communication are reserved for our emigrants. And these large questions can only be satisfactorily discussed at a post-war Conference of representatives from all the units of the British Empire, inclusive of India.

"My Lord, the Hon'ble Sir William Meyer's observations about the excise duty upon Indian cotton goods have been welcome to the people. The Government of India have never approved of this duty, but it was reserved for your Excellency's Government to make a determined effort for its repeal. The public announcement of the action taken by Government in this matter is of itself an agreeable and significant departure in policy which we are not slow to appreciate. The incident gives us an insight into the great services your Excellency has rendered to India as her most devoted advocate, much of which must be hidden from the public eye.

"My Lord, we are indebted to your Excellency for the promptitude with which Government, in response to the public appeal, has exempted pearls from the new  $7\frac{1}{2}$  per cent. import duty. The industry has now been saved, and it is just that we should acknowledge also the Hon'ble Finance Minister's and the Hon'ble Sir William Clark's share in the exemption. Indeed, the Hon'ble Sir William Clark has, during his tenure of office, ever been ready to help in the industrial development of India. We in Bombay feel how closely he has been in touch with us, and how uniformly we have received encouragement and guidance at his hands. It is a matter of sincere regret to us that in a few days he will retire from an office which he has held with conspicuous success at an important period of Indian history. My Lord, our good wishes will follow him in his retirement, and we hope India will still share his sympathy and attention.

"My Lord, I beg to invite, with all the earnestness I can command, the attention of Government to the need for a thorough inquiry into the present extraordinary rate of mortality among infants in India. In reply to my recent question on the subject, Government disputed the correctness of the statement that the mortality was 48 per cent, but admitted that in 1913 it was 38.9 per cent among infants under one year. If the percentage of mortality among infants between the ages of one year and five years is taken into account, the total of the infantile mortality would not be very much below the figure suggested by me. Even as it is, 38.9 per cent. is extraordinarily heavy in all conscience, and the position requires careful examination. We should not rest satisfied until the causes have been thoroughly investigated, and proper remedial measures adopted. May we expect that Government will undertake a sifting inquiry at an early date?

"My Lord, the great war is still on. It would have been well for us if peace had been concluded before your Excellency retired from this country. From the very commencement, your Excellency has striven to use the occasion as a lever to raise India to a dignified position in the British Empire, and your far-sighted policy has succeeded beyond the dreams of the most ardent enthusiast. The employment of Indian troops in the war has vindicated our honour before the world; has solved many a difficult political problem for us, and has produced such a wholesome change in the temper of the rest of the Empire towards India as provides the best augury for our future. It is your Excellency who has broken through the standing prejudice against Indian troops, and who, with the vision of genius, has caught the right moment to advance India's cause. Your Excellency's advocacy at the end of the war would have been a great gain to us.

"My Lord, the brilliant record of your Excellency's Viceroyalty and our deep appreciation of your great services to the country, would naturally make

[ *Sir Fazulbhoy Currimbhoy ; Maharaja Ranajit Sinha of Nashipur.* ]

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us desire that your Excellency should continue in office until at least the termination of hostilities. But we are disappointed. Your Excellency's approaching retirement has filled us with profound sorrow. We only hope the noble policy initiated by your Excellency will continue to animate British Indian Administration, and will receive further development at the hands of your successors. My Lord, we wish your Excellency most sincerely all happiness in your future life, and we hope your Excellency will never forget India."

**The Hon'ble Maharaja Ranajit Sinha of Nashipur:—**

"My Lord, this year's Budget may in one sense be called a 'War Budget,' not because we are making any very large contribution to His Majesty's Government for the successful termination of the war, but for the decrease in our income under certain heads of receipts, and the increase in expenditure under other heads. Notwithstanding the general retrenchment in all heads of expenditure, there has been an Imperial deficit which has to be met by taxation. My Lord, since the last two years there has been a deficit, and your Excellency's Government avoided to impose any fresh taxation as long as it was possible to do so; but when there was no other alternative, the Finance Minister was obliged to impose new imposts. The people of India have implicit confidence in your Excellency, and so the Budget, in spite of the new taxation, has generally been well received, and we congratulate the Finance Minister for the same.

"My Lord, as regards the new taxation, I must say that there has been a keen disappointment in some quarters, because no duty has been imposed upon cotton. We understand from the speech of the Finance Minister that the Government of India recommended a material increase of the import duties on 'cotton,' but the Secretary of State thought that it was not desirable to raise a controversial matter on this occasion, and so we bow to his decision and hope that, when the entire fiscal policy of India is considered, it will be considered to her advantage.

"My Lord, in India, I think the indirect taxation is more suitable. I quite agree with my friend the Hon'ble Mr. Stewart that, if there would have been little increase in the railway freight, we might have, to a certain extent, avoided this taxation. I mean the income-tax. But, my Lord, the difficulty is that, with the approval and sanction of the Secretary of State, the tax has been imposed; and though we are privileged to move Resolutions, it is of no use as even if we could satisfy your Excellency's Government as to the alternate proposal, I am afraid the Finance Minister could not accept the Resolution without the consent of the Secretary of State. My Lord, as regards income-tax, I find that, in the case of 13,000 persons only, it has been more than doubled, and the majority of them are our European fellow-subjects, who either belong to some mercantile firms, or are high officials, and these classes of His Majesty's subjects are in more ways than one contributing to the success of the war. At the same time, we find that the salt tax falls upon the shoulders of the majority of Indian population, the greater number of which are poor. So, in fact from the highest to the lowest, and from the richest to the poorest, everyone has to bear the burden of the war.

"My Lord, I have noticed in some papers that there is jealousy in certain quarters that the lands have been exempted from this taxation. Perhaps my friends do not know that the land has already been assessed in some places in the form of roads and public works cesses, and in others in the form of land-cess. And we can assure your Excellency's Government that, if such an emergency arises, the landholders will not lack behind in contributing their quota to uphold the prestige and honour of the Empire and for the triumph of the British arms. My Lord, I am disappointed to find that there is no assurance in the speech of the Hon'ble the Finance Minister that this taxation will last only till the war lasts or sometime after it. In the latter portion of his speech, one is led to think that it will last till the war; but if

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one reads another passage in his speech—paragraph 32—one is constrained to think otherwise. There is a general impression in our country that, if a tax is once imposed, it is going to last for ever; and I hope the Hon'ble the Finance Minister will allay this impression by giving an assurance in the matter.

"Then, my Lord, with regard to military expenditure, in some quarters an attack is levelled against the Finance Member that India's proper share of contribution is not budgetted towards the expenses of the war. Undoubtedly, we are not contributing directly anything to His Majesty's Government, but we find from the Budget that India is meeting all the normal expenses of the troops who are fighting side by side with the troops of the Allies and Colonies, and that India is preparing the munitions and helping the cause of the war in some other ways also. But I think that if it is necessary, India, which forms an integral part of the British Empire, should not hesitate to contribute her mite towards the expenses of the war, however insignificant and small it may be. Though we know full well that, where millions and millions are daily spent, India's contribution, whatever it may be, will be a drop in the ocean.

"My Lord, I find also that there has been an increase of expenditure under the head 'Military.' I would not grudge this at this time of crisis, because it is essentially necessary to increase the efficiency of our Army, to strengthen our naval force, and to spend more money generally for the proper defences of the Empire. But I hope that, when normal conditions return, the expenditure under this head will be cut down.

"Then, my Lord, as regards sanitation, I think it is not prudent on my part to ask the Government to set aside any large sum for this purpose at a time when there is retrenchment in every direction owing to war, and so we are specially thankful to your Excellency's Government for the provision made in the improvement of the sanitation of the pilgrimage route to Badrinath and Kedarnath.

"My Lord, I have one suggestion to make, that sanitation is the more important subject, and there a good deal of interest is taken by the people at large in it. So, instead of putting it under the head 'Medical', I suggest to the Hon'ble Finance Member to put it under a separate head altogether, so that the people may, at one glance, find out what amount has been provided, and what is being spent for this important purpose.

"Now, as regards education, my Lord, during your Excellency's Vice-royalty education has expanded by leaps and bounds; and, though it may not have reached its goal, no one could deny that since the last five years the expenditure for education has enormously increased. But, my Lord, I regret to find that female education has not made as material progress notwithstanding the earnestness of Government in this matter. The reason is obvious. Owing to the *purdah* custom and early marriage of girls in some provinces, the girls are taken away from the schools at a very early age. I would suggest, therefore, to your Excellency's Government that the *zenana* system of education should be encouraged, and unless that system is placed on a sound footing, female education cannot make a rapid advance as one could expect.

"My Lord, then as regards police, we find that for the last five years there is a gradual increase under this head. The Government of India in 1903 appointed a Commission under Sir Andrew Fraser to inquire into, and report on, the matter. The recommendations were received and acted upon; but it is a fact that there has been no material improvement in that direction. The people look on the police with suspicion, and have no confidence in them; at the same time, the police do not get help from the people. I do not say that either the police or the people are in fault; but I think it is desirable that there should be a co-operation and help between the police and the public. This is the most important matter, and I should like to invite the attention of Government in this respect, and I hope that, when the normal time comes, Government will give its careful consideration to the matter.

"My Lord, I cannot conclude without expressing my deep regret for the approaching retirement of your Excellency. This is the last occasion when we

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would see your Excellency adorning the presidential chair in this Council. My Lord, by your sympathetic and statesmanlike policy, you have endeared yourself to the people of the country, and your name has been enshrined in the heart and hearts of the people. Your Excellency has captured the loyalty of India, and by various acts have placed the whole country under a deep debt of gratitude. I do not think it is necessary for me to dwell at any great length on the various boons you have conferred upon the people of India during your Viceroyalty. In one word, my Lord, I can say that in you, India will lose her great friend and benefactor. But we are confident that in whatever position your Excellency may be placed, India will always find a place in your heart. May the Providence grant unto your Excellency long life, health and strength to continue to be useful to the Empire and to the country which you are so fond of ! I take this opportunity, my Lord, to offer my most respectful and humble congratulations to your Excellency for your services being appreciated by His Majesty, the King-Emperor, by appointing you to a Knight of the Garter."

**The Hon'ble Khan Bahadur Mir Asad Ali Khan :—**" My Lord, if ever a Financial Statement called for little criticism, it is the one presented to the Council by the Hon'ble Sir William Meyer, one of our ablest financiers. The presentation, under exceptional circumstances, of a Budget so satisfactory, could not have been done without considerable labour, circumspection, and forethought. I join, therefore, my Hon'ble colleagues in heartily congratulating the Hon'ble Finance Member upon his statesmanly and successful Budget. When the fluctuations of opium revenue filled us with apprehensions during the closing period of the last Finance Member, it was suggested that our import tariff should be revised with a view to enhancement of customs duties. I am glad to find that, in this year of difficulties created by war conditions, he has seen fit to tap this source of revenue without finding it necessary to impose any burdensome taxation upon the people. Not only does he provide thereby, and by an increase under income-tax, for making up an estimated Imperial deficit of £2·6 millions, but by an increase under income-tax and an enhancement of the duty on salt, one of the bare necessities of life, he has created a surplus of over £1 million against what he calls possible contingencies. While I do not take exception to the provision of a surplus, I venture to think that the same might have been done in any other way than raising salt duty by twenty-five per cent. While the raising of salt duty may not really affect the poorer classes as the increase would amount to 3 pies per lb, I hold, as a matter of principle, that little or no taxation should be imposed upon the bare necessities of life, such as salt. However, I am willing to allow that Indian peoples, at this crisis, will gladly bear all such taxation.

"In view of the probable continuation of the war for yet another year, and its after-effects, it is highly desirable to maintain the soundness of our financial position by adopting a policy of strict economy in the administration of the country, and providing even against the failures of our whimsical monsoons. It cannot, perhaps, be denied that our public expenditure, both civil and military, has even in peaceful times, gone on increasing yearly in a greater proportion than that of our public revenue. While there may be justification at present for an increase in public expenditure, there could be no justification for such increase during normal times. For instance, expenditure under 'Salaries and other Expenses of Civil Departments,' has increased by about 14 crores of rupees within the last fifteen years. 'Miscellaneous charges,' too, have increased by about  $1\frac{1}{2}$  crores during the same period. There has altogether been a total increase of expenditure by about  $15\frac{1}{2}$  crores. If ever there is urgent need for strict economy in public expenditure, the present is an opportune moment. That there has been a little economy here and there I do not deny. But that is not the kind of economy one would expect to see. What is really wanted is retrenchment in the administrative machinery. Going through the statement of expenditure charged to the revenues of India, I find that there has been, except in a few cases, a tendency favouring increase of expenditure, notwithstanding instructions towards

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practising economy. Especially is this the case under 'Salaries and Expenses of Civil Departments,' and 'Miscellaneous Charges' Several items under these heads badly need pruning.

"For instance, police expenditure budgetted for 1916-17 shows a large increase of about 18 lakhs of rupees, as compared with Revised Estimate for 1915-16, while educational expenditure shows an increase of about  $13\frac{1}{2}$  lakhs, and medical expenditure unfortunately shows a decrease of about  $5\frac{1}{2}$  lakhs. It is also interesting to note that police expenditure has grown from about 698 lakhs in 1912-13 to about 829 lakhs budgetted for 1916-17, thereby showing an increase of about 131 lakhs or 16 per cent. within the short period of four years. Apart from a small increase of about 6 lakhs due to the better equipment of the police force in the North-West Frontier Province, the increase under other Imperial and Provincial heads seems not only general, but considerable part of this general increase, more than a fair proportion, I suppose, is due to a rise in the charges of the Criminal Investigation Department, a department the justification of whose existence I fully admit. If an increased expenditure means increased efficiency, I have no quarrel with that growing item. But if increased expenditure means mere numbers with fancied efficiency, then it is high time that that item should be subject to close scrutiny, lest public money be wasted on an enterprise of doubtful utility. In this, as in other items of civil expenditure, much stricter economy has yet to be shown. It need hardly be said, my Lord, that the Indian administration is one of the costliest administrations in the world. In no other part of the world, except perhaps in the United Kingdom, are the salaries of high administrative posts so high as in India. Commission after Commission has been appointed to scrutinise our public expenditure, and suggest improvements. And yet our public expenditure has acquired a capacity to grow unabated. The war has taught us all to practise strict economy. Economy is as good for the individual as for the State. Instead of falling back upon salt reserve, the Finance Minister might very well have reduced the civil expenditure by  $1\frac{1}{2}$  per cent., or the civil expenditure (excluding Railways and Irrigation) by about  $2\frac{1}{2}$  per cent.

"During your Excellency's *regime*, my Lord, education and sanitation have claimed foremost attention, and their present progress is chiefly and largely due to your Excellency's sympathetic administration. Muhammadan education too has considerably progressed, as is evident from the fact that there were in 1914-15 as many as 1,725,000 pupils. In Madras, a recurring Imperial grant of Rs. 30,000 was made towards the expansion of Muhammadan education, and the proportion of Mussalmans at school to those of a school-going age is 42.4 per cent. While the general educational progress was so far satisfactory, it must be admitted that Mussalman youths in Madras have not yet made sufficient progress in higher education, as in Bengal or the United Provinces or the Punjab. While there are 9 scholarships exclusively reserved for Muhammadan boys in Bombay, and 15 scholarships in connection with the Matriculation of the Punjab University, there is practically none whatever in Madras. I submit, therefore, that provision should be made sooner or later to found a few scholarships in the Madras University for the benefit of those Moslem youths, who, for want of pecuniary help, are obliged to give up the pursuit of higher education. It is also satisfactory to note that local bodies in Madras expended about Rs. 10 $\frac{1}{2}$  lakhs on Muhammadan schools during the quinquennium ending 31st March 1914. As there is not even a single Muhammadan Inspector of Schools in Madras, it is to be hoped that one or more Inspectors will be appointed there, so that Muhammadan education will be taken special care of. Education among Muhammadan girls too is slowly but steadily progressing, there being at present over two lakhs of girls under education. Three of them are in the Arts Colleges, one each in Madras, Bombay and Bengal, respectively, and one in a Medical College, besides 40 in Medical Schools, 92 in Training Schools, and 186 in Technical and Industrial Schools. In this connection, I should like to suggest the appointment, as an experimental measure, of an Inspectress of Schools for Madras either for *zenana* class supervision or for the supervision of girls' schools, similar to the experiment successfully tried in Bombay. We await with pleasure the

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answers of Local Governments to the recent Circular of the Government of India *re* women's education in India.

" Closely connected with the progress of the Moslem community is the great question of separate representation for Muhammadans in Municipalities and District and Taluk Boards. Though I do not favour communal representation merely as such, I advocate it as a temporary measure which is calculated to rouse the community from its long slumber. Each community must work out its own salvation. When each of the great communities has reached a fairly high level of progress, it is then easy for all of them to come together on a common platform, and co-operate with one another for the common good of the country. Until then, communal representation is necessary. Hence, Muhammadans should be given representation in local bodies, just in the same way as it is done in the Imperial and Provincial Legislative Councils. In answer to my repeated questions on the subject, I was given to understand that the question was under consideration. I trust, therefore, that our benevolent Government will not fail to accede to the Moslem request in the matter.

" My Lord, it will not be out of place, I believe, if, in passing, I make a brief reference to our work in the Council during the last three years. The relations between the Official and Non-official Members have, on the whole, been satisfactory, and the progress of work individually or collectively done, necessarily slow under the present rigid constitution of the Council, only emphasises the need for more than one Indian on the Executive Council, further expansion of Legislative Councils with increased functions, introduction of a larger elective element, greater freedom of discussion, wider angle of vision, and greater mutual understanding and sympathy.

" My Lord, the expiry of our term of membership curiously coincides, and happily too, with the termination of your Lordship's Viceroyalty. You will pardon me, my Lord, for a few personal references. Since the days of Lord Ripon, no Viceroy has endeared himself so much, and stood by the people so well, as your Excellency. Among the many notable incidents during your Excellency's successful *regime* may be mentioned the restoration of Delhi to her wonted pre-eminence as the historic capital of the Indian Empire, to the rebuilding of which your Excellency spared no pains whatever, a fact of supreme satisfaction to both Hindus and Mussalmans whose respective Sovereigns in olden days reigned there in great pomp and splendour, the settlement of the Indian question in South Africa as well as the Cawnpore mosque affair, the despatch of the Indian Expeditionary Force to the theatre of war, Indians participating in a European war for the first time in the history of this Empire, and above all, the strengthening of the bond of good-will between England and India by systematically pursuing, amidst trials and dangers, a liberal and sympathetic policy of administration. I desire to take this opportunity, my Lord, of expressing, both on my behalf and on behalf of the community I have the honour to represent, our grateful thanks to your Excellency and your Excellency's Government for steadily promoting the well-being of the people, and trust that, even after retirement, your Excellency will long continue to take a deep and abiding interest in Indian affairs, and that, when the war terminates, as it will by the grace of God, in a brilliant victory to England, and when the question of readjustment of the relations between the different members of the Empire comes to be discussed, your Lordship's weight and influence will be thrown on the side of India, and that through your statesmanly intervention, India would be privileged to share the joys as well as the burdens of the Empire, as a self-respecting partner in the great Imperial Federation.

" My Lord, I beg to be permitted to bid your Excellency a hearty farewell on the eve of your departure from India, and wish Your Excellency *bon voyage* home and a happy sojourn in the Motherland."

The Council here adjourned for Lunch

**The Hon'ble Sir William Clark :—**" My Lord, before we resume the business of the day, may I, as *Vice-President* of your Excellency's Legisla-

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tive Council, offer to you, in a very few words, the respectful congratulations of the Council on the conspicuous honour which His Majesty, the King-Emperor, has been pleased to confer upon you in appointing you a Knight of the Most Noble Order of the Garter? That your Excellency should have received the most distinguished Order, which it is in the power of the Crown to confer, will be a source of intense satisfaction throughout India, but by none will the news be received with a keener sense of gratification than by us, the Members of your Legislative Council, who have had the special privilege of close association with your Excellency. We feel ourselves peculiarly fortunate that this announcement should have been made to-day, when your Excellency, is presiding over a full meeting of your Council, thus enabling us, as a body, to offer to you our heartfelt congratulations on this happy event."

**His Excellency the President:**—"I thank you all very warmly for your very kind congratulations and appreciation of what, I may say, is a most unexpected honour that I have received from His Majesty, the King-Emperor"

**The Hon'ble Rai Sita Nath Ray Bahadur:**—"My Lord, on the occasion of the discussion of the Budget, it has become, so to say, one of the conventional duties, on the part of every Non-official Member to begin his speech by offering felicitations to the Hon'ble Member in charge of the finance, as if the imposition or remission of taxation, or its increase or decrease were wholly dependent on his good-will and pleasure, irrespective of all outside circumstances and considerations. Is it really conventional in the present case? No, my Lord, our congratulations, on the contrary, are more heartfelt and more sincere as we realise how the extraordinary situation, created by the war, has been met. It cannot be denied that the Hon'ble Finance Member has been able to meet a very difficult situation by wise and statesmanlike schemes of taxation, by distributing the burden, which is not very heavy in any case, not on any particular class, but upon all classes of people, and what strikes one most, and what differentiates them from the ordinary schemes of taxation, is the graduated scale of additional income-tax, which, while not touching or hurting the people of slender means has imposed the additional burden of taxation on a graduated scale upon the well-to-do classes, the higher the income, the greater is the incidence of taxation until it culminates in imposing a burden of one anna in the rupee on the highest classes of assesseees, who are, therefore, not likely to feel it keenly. I have no doubt in saying that your Excellency's Government has displayed great judgment in formulating these schemes of taxation which are indeed characterised by wisdom and moderation, and as such, the whole country will, I am sure, readily and cheerfully submit to the new schemes of taxation without any murmur or grumble.

"For more than a year and a half, the British Empire has been involved in the greatest and most sanguinary war ever known to history in which all the mighty powers of the world are ranged on one side or the other. This is a war which has entailed untold sufferings, unprecedented sacrifice of life and money. But what is most sickening in this great war, is the barbarous and inhuman conduct of a nation which once prided itself on its culture and civilisation, but which has not now shrunk in the slightest degree from committing unheard-of atrocities, barbarities and outrages on humanity. Realising how severely the resources of England have been taxed, we should gratefully acknowledge that protected by her powerful Navy and Army, we are comparatively enjoying here the security of life and property, and that our sacrifices are not heavier and our burden of taxation is not more onerous, it is therefore all the more incumbent upon us that we should cheerfully accept the new schemes of taxation, and offer our sincere congratulations to the Government, more particularly, to the Hon'ble Finance Member, for shaping them in a way generally acceptable to the public and the country. But it must, at the same time, be said to the lasting credit of India that her princes, ruling chiefs and all other classes and conditions of people down to the meanest peasants, have cheerfully placed

their humble services, their life and property at the disposal of the British Government, that her princes and ruling chiefs and other classes of people, besides offering their services and taking an active part in this titanic warfare, have been cheerfully contributing in different ways to the war funds, and to the funds started for the relief and comforts of the wounded ; it is a source of great pride and satisfaction to India that her manhood have not shrunk from shedding their life blood on the battle-fields of Europe and Asia, fighting side by side, shoulder to shoulder, with their British comrades in arms. While we desire to share in the responsibilities, rights and privileges of British citizenship, it is no wonder that our youths should volunteer their services and sacrifice their lives in the cause of the Empire, in the cause of liberty and righteousness, and we are confident that a righteous cause will ultimately triumph.

“ While the Empire is involved in this mighty struggle, which is taxing her resources to the utmost, when every rupee saved might be profitably utilised in the prosecution of this great war, there is no room for murmur, and this is hardly the time to ask for the customary doles of charity for the Local Governments. Now, with your Excellency's permission, I beg to offer a few remarks regarding the scheme of raising a new loan for the next year, with the conditions attached, of converting the  $3\frac{1}{2}$  per cent. and 3 per cent. Government stocks into the same. This is, indeed, a novel idea based on the Home model. If liberal terms are offered, that is, if the conversion is allowed not on the basis of arithmetical proportion, but on terms sufficiently attractive, and the rate of interest be somewhat higher, I believe the proposed loan may be sufficiently subscribed. I may add that, in the present state of the money-market and of financial stringency, it is not possible to rehabilitate the present  $3\frac{1}{2}$  per cent. and 3 per cent. Government stocks in the confidence of the investing public, unless attractive terms are offered for their conversion. My Lord, I may remark, in passing, that several causes have combined to produce deterioration in the Government papers, which it is needless to dilate upon. Now, whatever causes might have operated to bring on this deterioration in Government papers, there is this outstanding fact that, with  $3\frac{1}{2}$  per cent. papers now selling at Rs. 80, and this coupled with the fact that the English sterling war-loans give much better returns, it is doubtful whether the proposed rupee loan at par, even with the scheme of conversion attached to it, will be sufficiently attractive, if the rate of interest be fixed at 4 per cent. I may add that a purchaser of  $3\frac{1}{2}$  per cent. paper at Rs 80 will be a greater gainer than a subscriber to the 4 per cent. loan at par even with the attached tempting condition of being able to get his  $3\frac{1}{2}$  per cent. paper converted into a 4 per cent. paper. The question is beset with difficulties, and requires careful handling and deliberation specially in a country like India, where it is so difficult to raise money ; another question which requires careful consideration is how to appreciate the present stocks, as otherwise, on the announcement of the new loan, they would go further down. The amount of  $3\frac{1}{2}$  per cent. loan is nearly 92 million pounds, and the conversion scheme can only touch a fringe of it ; what becomes of the great majority ? Would your Excellency's Government allow it to go further down ? The two principal questions which require deliberate consideration and solution are these :—The first is at what rate the proposed new rupee loan should be raised, that is, should the rate of interest here be less than the interest offered by the Home Government ? Second, what measures should be taken to arrest the further decline of  $3\frac{1}{2}$  per cent. papers, and what should be the terms of conversion, that is, on what terms should Government allow  $3\frac{1}{2}$  per cent. papers to be converted into the new loan arrangement ? My Lord, my submission is that, in coming to a satisfactory solution of these difficult questions, your Excellency's Government will be pleased to convene, as on the last occasion, an informal Committee but on a somewhat wider basis, to which the representatives of the commercial and banking interests should be invited.

“ With these few words, I would have concluded my speech, but, my Lord, considering that this is the last occasion on which we shall have the pleasure and the proud privilege of speaking in this Council Chamber, under your Excellency's presidency, I must say, as a result of my four years'

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experience of this august assembly, that during this long period, we have had nothing but very kind and courteous treatment at your Excellency's hands. My Lord, this is not the time or place for dilating upon the details of your Excellency's administration, but I cannot altogether abstain from referring to one or two outstanding features of it, which will leave permanent foot-prints in the sands of time. The noble and magnanimous, but at the same time, firm and bold attitude your Excellency was pleased to display in the matter of the treatment of the Indian emigrants to South Africa, and that in the face of such strong opposition from the semi-independent colonists there, we cannot too sufficiently admire and be sufficiently thankful to your Lordship for the same. It would not be saying too much, when I say that we Indians owe a deep debt of gratitude to your Excellency for your persistent efforts and whole-hearted sympathy in the cause of the Indian emigrants, and it is due to your Excellency's recommendation and powerful advocacy that we shall at last have the abolition of the Indentured labour, which, I assure you, my Lord, will enshrine your name in the grateful hearts of a grateful nation.

"My Lord, sanitation and education have been the watch-words of your administration, not by words of sympathy alone, but by liberal and substantial grants, they have received an unprecedented impetus unknown before. Hostels, that is, well organised sanitary residences for students under the direct supervision of responsible authorities, have received such encouragements accompanied by liberal grants, that it may be said that there is now no college or madrasa in Bengal without a hostel being attached to it. Amidst the several noble deeds of your administration, the place of honour would certainly be assigned to the Act passed by your Excellency's Government creating the Hindu University, which will go to combine the honoured and ancient culture of India with the culture of the Western world—the crowning act of glory which will perpetuate your Excellency's name for ever.

"Before concluding, I must say a few words about the novel and noble, wise and thrilling experiment of organising and sending a very large expeditionary force from this country to fight on the battle-fields of Europe, side by side and shoulder to shoulder, with their British and French comrades-in-arms in a foreign land amid new environments and surroundings. The whole credit of this experiment, which aroused a keen sense of pride, a glow of enthusiasm in every Indian breast, which has been, on the whole, so successful, belongs to your Excellency. I need not dilate on its immediate effect, but I must say that its prospective effect would be very great.

"Lastly, I must say that your Excellency deserves our humble thanks, our special gratitude, for having sanctioned the formation of the Bengal Ambulance Corps who have covered themselves with lasting glory, have elicited high praise from the Commanding Officer, and thereby more than justified your Excellency's bold experiment. In this connection, I may say that, in spite of isolated acts of wickedness, the heart of the race is sound and beholden in ties of deep-seated loyalty, devotion and gratitude to the throne and person of His Imperial Majesty, our King-Emperor.

"With these few words, I most respectfully beg leave to bid a respectful farewell to your Excellency."

**The Hon'ble Mr. Surendra Nath Banerjee:**—"My Lord, I feel that I should not be doing justice to myself or to this Council if I did not say that the Budget has been received with mixed feelings—feelings of thankfulness that the poor man's interests have been largely conserved, feelings of regret that the poor man has been hurt in the matter of the salt tax. My Lord, the debates in this Council, the utterances which have appeared in the columns of our newspapers, have made it abundantly clear that the trend of public opinion is practically unanimous in the condemnation of the enhanced duty on salt. My Lord, I ventured to suggest from my place in this Council that perhaps the crisis might have been tided over and taxation avoided by a loan. My friend the Hon'ble the Finance Minister ridiculed the suggestion, and appealed for illustration to a character in a well-known work of fiction. My Lord, in this Council we

tread upon the sure ground of fact and not of fiction, and when I found my Hon'ble friend leaving this sure ground and wandering into the regions of romance, I felt within myself that he must have been convinced that his cause was hopeless, and that he had no arguments but an appeal to fiction to meet the difficulty.

"My Lord, regret has been expressed and universally expressed in the Indian Press that while the customs duties have been raised all round, the duties on imported cotton goods have remained unaltered. The Government of India have done their best in the matter, but the fact points to the conclusion that it is essentially necessary that India should speedily possess fiscal autonomy. It is a matter of regret that this question has not been referred to the Industrial Committee that has recently been appointed. But, my Lord, it seems to me that it will be impossible for that Committee to avoid facing this question, for it would be open to them in connection with any industry to say that for the purposes of that industry protection would be necessary. An accumulation of instances of that kind would surely strengthen the hands of the protectionists.

"My Lord, closely associated with the question of fiscal autonomy is the problem of the financial independence of the Provinces. Upon the financial independence of the Provinces rests the superstructure of provincial autonomy. We have been promised that boon by the great Despatch of 25th August, 1911, and, my Lord, I hope and trust that before long—at any rate, in the train of the readjustments that are inevitable after the war—this boon will be conferred upon us. My Lord, in this connection, I may point to a statement made in the 88th paragraph of the Financial Statement in which my Hon'ble friend the Finance Member says that a scheme of devolution in respect of Provincial finance is now under the consideration of the Government. My Hon'ble friend has not given us the details. Possibly he will be in a position to announce them next year, but I do hope and trust that it is not merely a measure of administrative convenience, but that it will be attended with a large accession of popular control. Decentralisation as such is more or less the devolution of power from officials to the officials. What we are anxious about is not so much administrative convenience as an increase of popular authority over Provincial finance.

"My Lord, some of my friends in this Council and around this table have said that our Budget is a War Budget, and that the taxes we have to pay are due to the war. I thoroughly associate myself with the observations that have been made by Hon'ble Members that the taxes which have been levied ought to be declared as war taxes, and I hope that my Hon'ble friend, when he rises from his place and takes the Council into his confidence, will be in a position to give us that assurance. They have been levied for war purposes, and as soon as those purposes have been satisfied and the wants have been met, these taxes should be discontinued. My Lord, every now and then we read articles in the newspapers and utterances made by our public men, to the effect that India has not made an adequate contribution to the war, or that her sacrifices have not been commensurate to the needs of the Empire or to her position in the Imperial system. The Hon'ble the Finance Minister traverses that position. He points out that our Armies are even now playing a very conspicuous part in the theatre of war; and he also adds that very considerable sums have been paid by India as war contributions. For instance, for the years 1914-15—the first year of the war—the services and the supplies amounted to ten million sterling; in 1915-16, the services and the supplies were estimated at 18 million sterling; and in 1916-17, the estimates rose to 20 millions. This is independent of the contributions of the Native States.

"My Lord, my friend the Hon'ble Rai Sitanath Ray Bahadur has referred to the Ambulance Corps in Bengal. I think we people of Bengal and of India, ought to be proud of the work of that Corps and the gallantry they showed under fire. The fact demonstrates the stuff that is in the people of Bengal and in the people of India. India presents a vast storehouse of military material which I appeal to the military authorities and His Excellency the

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Commander-in-Chief to make the fullest use of. We have got men—men with splendid stuff in them; utilise them at the present moment in the service of the Empire by forming a National Militia, by enlisting them as volunteers, by enrolling them as members of Ambulance Corps. The needs of the Empire call for more men. Our people are as countless as the stars of heaven. Why not utilise them for a purpose which will be beneficial to the Empire and add to their sense of self-respect? I desire to make an earnest appeal to Your Excellency, and also to His Excellency the Commander-in-Chief, for the formation of a National Militia and the enlistment of Indians as volunteers. I hope and trust that this appeal will not have been made in vain. Do not for a moment distrust our loyalty. There may be fanatics and fools among us. Are there not fanatics and fools among all classes of the community in all parts of the world? But the heart of India is sound and loyal to the core. Of that we have afforded abundant evidence. Trust India; trust her fidelity and loyalty; trust her honour and devotion to the Empire, and you will obtain a force before which even the great power of Germany will quail. I speak with some little emotion on this matter, because I re-echo the sentiments of my countrymen.

“My Lord, to pass from this somewhat exciting subject to a matter nearer home, I desire to appeal to my Hon’ble friend the Finance Member to consider the case of the large number of poor holders of Government stock who are made to pay income-tax which afterwards is refunded to them. I have in view the case of widows and poor holders of Government stock ranging from Rs. 100 to Rs. 500. What happens, my Lord, is this. When a Rs. 500 Government security is presented at a public debt office for interest, the interest is paid after 10 or 12 days, but a deduction is made for income-tax. Income-tax is not due upon that security, but the public debt office assumes that it is, and the burden of proof is thrown upon the individual to show that he or she is not liable to exemption from income-tax. I do not think this is fair. In many cases no application is made for refund. To get back the money requires time and necessitates a lot of expense. I have mentioned this matter to my Hon’ble friend the Finance Minister, and I hope and trust he will give a sympathetic hearing.

“My Lord, I come back to that question which is very near to my heart, and I am sure it must be very near to the heart of all Bengalis. I am sure my two friends on my right and on my left, the Maharaja of Kasimbazar and the Maharaja of Nashipur, must feel very strongly about it, because they and their families are the greatest sufferers. I refer to the question of malaria. My Lord, I moved a Resolution in this Council which was accepted, directing the Local Governments to take vigorous measures for the prevention of malaria. My Lord, I then moved another Resolution for the grant of 6 lakhs of rupees to Bengal for the prevention of malaria. My Hon’ble friend the Member in charge did not see his way to accept the Resolution, but gave me the assurance that, if the Government of Bengal applied, the matter would be considered. My Lord, money is not our only difficulty. Our difficulty lies in the hopeless disagreement between doctors. We have got theories on the one side and theories on the other—a conflict of views between Dr. Bentley on the one hand and other doctors on the other; and the result is that little or nothing is done. My Lord, let not our energies be paralysed by this disagreement among experts. Something has to be done, and I hope and trust that something will be done. The prevention of malaria is intimately connected with the improvement of rural sanitation, and surely, as regards rural sanitation, there can be no difference of opinion as to the methods that should be employed. In Italy, they tried the system of Bonifacazione. It is a double system of irrigation and sanitation. The central idea is to deepen the water-channels and to elevate the soil. It is a system of agriculture and of sanitation combined with results that are extremely satisfactory. Why should not something of the same kind be tried here?

“My Lord, it is getting late, and I have no desire to take up more of your Excellency’s time. I thoroughly associate myself with the observations that have fallen from Hon’ble Members in regard to your approaching departure

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from this country. My Lord, this is the last meeting of this Council when you will preside over our deliberations. To-day's business over and this Council will know you no more. Your Excellency's administration has been rich in measures that will place you in the forefront among Indian Viceroys, by the side of a Bentinck, a Canning and a Ripon. My Lord, this is not the place nor is it the time, nor is it for us to review the events of your administration. That must be reserved for the future historian of India. But, my Lord, contemporary opinion furnishes the raw material upon which history bases its judgment, and contemporary opinion has pronounced its verdict with unerring emphasis. Contemporary opinion declares that you are one of the greatest of Indian Viceroys, and that in the muster-roll of Viceroys you will always continue to be one of the greatest. The modification of the partition of Bengal, the settlement of the Cawnpore Mosque controversy, the abolition of indentured labour, the vindication of our rights as equal subjects of the Crown of which no more striking illustration can be found than the despatch of Indian troops to fight on European battle-fields, are measures which have strengthened and deepened the foundations of British rule in India, and have broad-based it upon the gratitude, the affection and the happiness of the people. My Lord, if to-day India is loyal and peaceful, resolved as one man to fight and die, if need be, for the Empire, it is largely due to your Excellency's wise and beneficent statesmanship, to your fulfilling in the every-day policy of your administration, the gracious message of hope and faith delivered to your Excellency and to the people of India by our august Sovereign.

"My Lord, we bid you farewell. We know that India will occupy a place, a very large place, in your affections, and that you will continue to feel an ever-living and an abiding interest in the welfare of that land whose peoples you have loved so well. My Lord, the greatest honour which a subject of the Crown can have has just been bestowed upon you by our august Sovereign. But, my Lord, what are crowns, what are diadems, what are earthly honours and possessions, comparable to the profuse and spontaneous love of a great people. That love is yours as the reward, the precious reward of your devoted service to the people of India, services rendered under trials and tribulations which have deepened their value and have enhanced the love of my countrymen for the great Viceroy who is now about to retire from his exalted office."

**The Hon'ble Mr. Ghuznavi:**—"My Lord, apart from the few observations which, with your Excellency's permission, I desire to make with regard to the Budget, the thought which is uppermost in my mind to-day is, that this is the last occasion on which your Excellency will preside over the deliberations of this Council in this historic city of Delhi, which fortune has again raised to Imperial importance. It would, therefore, have been unpardonable on my part if I had missed this opportunity of giving public expression to our gratitude for the manifold benefits which my community has derived during your Excellency's *regime*.

"For a long time past the Mussulman employés of Government had been suffering the greatest inconvenience, if not actual hindrance, in the performance of their Juma prayers. The leave to say their prayers between the hours of 12-30 and 2 P.M. on Fridays depended in all Government offices on the sweet will and pleasure of the officers in charge. Your Excellency, however, has shewn the utmost consideration for the religious feelings and obligations of all the different communities committed to your charge, and when I had the honour of bringing this matter to the notice of your Excellency's Government, no time was lost in redressing this just grievance.

"The list of public holidays under the Negotiable Instruments Act was conspicuous in certain provinces, notably in Bengal, for the absence of any Moslem holidays, such as 'Idul-ul-Fitr, Idul-uz-Zuha, Moharrum and Bar-i-Wafat.' This question affected not only the Mussulman merchants, but millions of Mussulmans who are employed in merchants' offices, banks, mills, factories, docks and all such business centres. Furthermore, the very fact of the

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total omission of Moslem days of religious festivals from the list of public holidays in certain provinces, affected the prestige and status of the Mussulman community.

“ It has been during your Excellency's *regime* that the first three days have now been included in the list of public holidays of Bengal, and I trust our prayer for the inclusion of the 4th, *viz.*, ‘ Bar-i-Wafat ’ will yet be heard.

“ Since the establishment of British Raj in this country religious instruction suitable to Mussulman boys has been divorced from all educational institutions patronised by Government. When I approached the late Member for Education on this subject, it was under your Excellency's guidance that Sir Harcourt Butler issued the circular letter dated April 3rd, 1913, to all Provincial Governments, on the subject of education in general and religious instruction in particular which will now bear fruit inasmuch as facilities for religious instruction will 'ere long be provided in all schools receiving Government grants.

“ Your Excellency has bestowed no less sympathetic thought on the question of the removal so far as possible of the hardships which pilgrims to the Hedjaz have to undergo in the performance of their sacred Haj, and had there not been this unfortunate war, I am quite sure this question too would have been solved to a great extent under your Excellency's care.

“ During the commencement of the war when solicitude for the welfare of Indian pilgrims, generally, prompted His Majesty's Government, on hearing that there was a shortage of foodstuffs at Jeddah and Mecca, to arrange for the supply of 30,000 sacks of barley destined for the pilgrims, the Turkish authorities in spite of the protest seized the same for military purpose. Yet such has been the magnanimity of the British Indian Government that on learning that the Indian pilgrims have been recently reduced to great straits on account of scarcity of foodstuffs at Mecca, that permission has again been given for the shipment of 60,000 bags of rice, 8,000 bags of dhâl and 2,000 bags of sugar from Calcutta for which the entire Mussulman community have reason to be deeply grateful.

“ When Moslem feeling ran high over the regrettable Cawnpore mosque incident, it was your Excellency who at great personal inconvenience himself went down to Cawnpore and brought about a happy solution, which otherwise would have stirred Moslem passion to a dangerous degree from the Himalayas to Cape Comorin.

“ These instances, my Lord, are but a few amongst the numerous benefits that the Mussulman community in particular have derived at your Excellency's hands. I am sure, I am only voicing the general opinion of the people of India as a whole when I say how greatly we appreciate, and how deeply we are grateful for your Excellency's liberal instincts, and how responsive Indians are to good work done and a generous policy adopted. It is only men of strong individuality and liberal instincts such as your Excellency, who can overcome narrow obstructions to progress and advance the real and permanent well-being of the people. Your name will be enshrined in our hearts and will go down to posterity as one of the greatest Viceroys of India.

“ Before going on with my observations on the Budget, I should just like to say one word more with regard to the leave for Juma prayers. Although this privilege has now been extended to all the provinces of India and Burma, yet in some places, such as Calcutta, the litigant public in some of the highest offices are withheld from exercising this privilege and discharging their religious obligation simply on account of the idiosyncrasies of some of the presiding officers. I trust, however, Government will take steps to see that this privilege may not thus be withheld:

“ My Lord, I desire to congratulate my friend the Hon'ble Sir William Meyer on his cautious financial policy and the Budget which he has prepared. The situation brought about by this unparalleled war is beyond doubt, most distressing and quite unprecedented. India under the circumstances could not

possibly escape extra taxation. Last year when a similar deficit was budgetted, the Hon'ble the Finance Minister resorted to the temporary expedient of borrowing and did not rush to extra taxation as many outside this Council were clamouring for. The circumstances occasioning this deficit were peculiar and temporary. It was expected then that the war would not last so long, and therefore temporary ways and means were preferred to additional taxation. The situation to-day has completely altered, hence temporary borrowing to cover the deficit cannot solve the difficulty. Borrowing therefore is out of the question. Hence additional taxation is thus indispensable. India has to provide for her own requirements without external assistance, and it is indeed a great relief that my Hon'ble friend in devising his ways and means has just cast his net where it ought to have been thrown. The only extra taxation to which the country can take exception, is the new salt tax which is likely to bring in £600,000. As the estimated Budget is calculated to produce a surplus of a million, the increased salt tax would scarcely seem necessary; particularly as taxation for the mere sake of obtaining a surplus is hardly fair. But we must bear in mind that the situation brought about by the war is really extraordinary, and there is no knowing that an unusually heavy demand will not fall all on a sudden on the shoulders of the State. I am, therefore, disposed to agree with my Hon'ble friend that, in the present condition of things, a reasonable surplus must be provided for. I would however ask my Hon'ble friend to give us an assurance that, as soon as the extraordinary condition ceases to exist, this extra tax on salt would be repealed.

“ My Lord, in the course of my Budget speech last year, I ventured to say that we all hoped that no contingency would arise that would make fresh taxation necessary. Should it arise at any time, I trusted my Hon'ble friend would allow me to make some suggestion as to the direction such additional taxation might take, and I added that the only additional taxation that might be imposed without affecting very much the teeming millions of this country would be an additional tax on income. I am, therefore, very glad to find that my friend has after all adopted my suggestion.

“ Last year after the Budget meeting was over, my Hon'ble friend came in for a round of abuse from certain quarters for his lack of patriotism and so forth in not imposing additional taxation. It is not therefore a little humorous to find that missiles have been thrown at my unfortunate friend from the same quarters this year for imposing additional tax on income, tea and jute. But I am sure my friend has provided himself with a coat of mail so that these missiles will do him no harm. The additional income-tax will only affect 37,000 assesseees out of a total of 332,000. Of these, 24,000 will pay only one extra pie in the rupee, and the 13,000 extra six pies. Surely those who occupy positions of comparative ease and affluence have no right to grumble if they have to pay a few rupees in the interest of an Empire which assures them peace, comfort, internal tranquillity and freedom from external aggression.

“ My Lord, I would again urge this year as I did last year the claims of my community for a preferential treatment in matters of education. For, although considerable progress has of late years been made, my community is still hopelessly and woefully backward. It is impossible to exaggerate the extent to which education of the right sort is needed for the development of the moral and material prosperity of India. It is pre-eminently the chief work to be done by the State. Education was indeed the starting point of each and every enterprise to be taken in India. The late Mr. Gokhale made it a cardinal point in his public life to urge for the adoption of free and compulsory education in India, and if, as a result of the new awakening after the war to which we all look forward, a policy of free and compulsory education was gradually adopted by Government, Government would be laying a very solid foundation for future progress in all directions and would win our lasting gratitude.

“ My Lord, I would once more draw the attention of this Council to the alarming spread of the drug and drink habit in India. This evil has been steadily growing during the last few years, and has now reached an enormous

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magnitude. During recent times the excise revenue has gone up by leaps and bounds. During the last decade excise revenue has more than doubled itself. Roughly speaking, it has risen from 5 and odd crores to nearly 13 crores. In Bengal, although there are signs of a slight falling off in the excise revenue since the outbreak of the war, yet it is scarcely to be expected that this falling off would continue. So long as the licensing function remains with the revenue authority and the principle of local option is not largely given to the people, no tangible result can be expected.

“ My Lord, it is a genuine pleasure to me to find present amongst us to-day our gallant Colleague the Hon’ble Captain Malik Umar Hyat Khan, the premier Moslem soldier who, in conjunction with another Colleague of ours, has maintained our reputation on the battlefields of Europe. The spontaneous outburst of Indian loyalty during this unparalleled crisis has been no less a source of gratification to us as surprise to our enemies. The great withdrawal of troops from India was proof of the general trust and confidence which could safely be reposed in the loyalty of the Indian people. France is striving might and main to rouse the enthusiasm of her Indian citizens by offering to enrol them in the Volunteers Corps on equal terms with Frenchmen in Paris. Her efforts in this direction are also believed to have proved fruitful and stimulated the enthusiasm of classes hitherto regarded as timid and non-martial. Hence we all fervently look forward to the time when such disability as we suffer under the Arms Act would no longer exist. That at least no preferential treatment in matter of gun licenses would be meted out to European aliens ; if the Arms Act were still to remain on our Statute-books, then it should be made alike applicable to Europeans and Indians.

“ My Lord, one word more and I have done. When your Excellency is away from these shores—the shores you have loved so well and to the people of which you have endeared yourself so much—I trust we shall still occupy a large portion of your Excellency’s thoughts, and that you will still interest yourself in our welfare, and that it will not be a case of ‘ *Loin des yeux loin du coeur* ’ but ‘ *Loin des yeux mais pres du coeur.* ’ ”

**The Hon’ble Sir Ibrahim Rahimtoola :—** “ Your Excellency, I agree with those speakers who have stated that the Budget for the ensuing year is a War Budget. Anyone who glances at the military expenditure during the last ten to fifteen years will find that the increase in the military expenditure in consequence of the war has been one of the principal factors in producing a deficit in the Budget. In 1902-03, the net military expenditure was well under £18,000,000 ; in 1903-04, it was a little more than that figure. In 1904-05, it rose to £20,500,000 ; it was still within £20,000,000 from 1905-06 to 1913-14 ; in 1914-15, it was £20,500,000. Since the outbreak of the war, it has risen to £22,500,000. If I mistake not in the Financial Statement the figure was £22,000,000, but it has since been increased in the Revised Estimates to £22,500,000 ; so that there has been an increase of from £2,000,000 to £2,500,000 in the net military expenditure in consequence of the war. In drawing your Lordship’s attention to these figures, it is not my intention to offer any criticism against this increased expenditure. As I stated on previous occasions when the Budget was under the consideration of this Council, I wish to give the Government *carte blanche* in the matter of the expenditure which they consider necessary to carry on the administration of this country. The reason why I have referred to the subject is to express the hope that, when the war has been carried to a successful conclusion and peace is restored, the increased military expenditure will not form a permanent addition to our expenditure. My Lord, in connection with this I should like to point out that the manner in which India has behaved during the war furnishes us with a strong reason why our permanent military expenditure should not be increased to any higher standard than what existed before the war. The Government of India’s administration of this country has proved that, while a large part of our permanent Army is fighting the battles of the Empire in various parts of the world, and the number of soldiers in India has

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been considerably reduced, peace and order have been well maintained. My Lord, I think that it is one of the highest compliments that can be paid to your Excellency's administration, that at a time like this, India has shown unswerving loyalty to the British Crown. I earnestly trust, therefore, my Lord, that when peace is restored, this question will be carefully considered and no additional burdens will be imposed upon the revenues of the country in the direction of military expenditure.

"My Lord, it is the fashion now-a-days to suggest to the Hon'ble the Finance Member—some of my Colleagues have taken the opportunity of doing so—various directions in which additional taxation should be imposed. I will only say that when the Hon'ble the Finance Member is considering next year the various suggestions which have been made by the Hon'ble Mr. Stewart, he will not forget, what curiously the Hon'ble Member himself has forgotten, the huge war profits which the jute manufacturing industry has made. In England, my Lord—and we are always preached to follow the English example—they have imposed a duty of 50 per cent. on war profits. The jute manufacturing industry has made huge profits, some of their R100 shares are now quoted at over R500. If any industry has prospered enormously in consequence of the war, and from which a portion should be taken as war profits, it is the jute industry. My Lord, I am correcting the omission which my Hon'ble friend Mr. Stewart made in indicating a source of revenue which may well be tapped instead of raising rates on passengers or goods carried by our railways. In spite of what has been said about trade profits, I remain unconvinced and still hold that railway revenue is indirect taxation. The additional charge of even one anna, which appears very insignificant in the eyes of some people, is a heavy burden on the poor third-class passengers. If more revenue is needed, surely there can be no justification for not imitating the policy adopted in England of taking a share of the huge profits which have been made in consequence of the war.

"My Lord, in conclusion, I will only say that this country parts with regret with your Excellency. I do not wish on the present occasion to add anything beyond saying that I entirely associate myself with the sentiments of appreciation to which my Hon'ble Colleagues have given expression."

**The Hon'ble Khan Bahadur Mian Muhammad Shafi:—**

"My Lord, with the unparalleled world-conflagration still ablaze and its disastrous effects still continuing to cripple international trade and internal development, it was inevitable that this year's Indian Budget should bear the impress of abnormal financial conditions. In fact, it speaks well of our country's resources and of the care and vigilance with which they have been husbanded that the total Imperial and Provincial deficit, in itself not very large in view of the extraordinary circumstances, is, according to the revised figures for the current year, much less than it was originally apprehended. Your Excellency's Government have decided to make up this deficit by the imposition of an enhanced income-tax on the wealthier classes, European and Indian, and by the introduction of certain fiscal changes consisting mainly of substantial modifications in our import and export duties. This scheme of additional taxation, though by no means entirely free from objection, is, on the whole, so discriminately conceived and its incidence is so well and equitably distributed as to have won, more or less, general satisfaction. And in the adoption of these extraordinary measures your Excellency's Government have been loyally supported by the Non-official Members of this Council who have, in no grudging spirit, fully recognized that in this grave world-crisis with which we are face to face, it is the paramount duty of our countrymen not only to share, in every possible manner, the burdens of the Empire, the citizenship of which we regard as our proudest possession, but also to contribute all that lies in their power towards bringing this terrible war to a successful conclusion.

"My Lord, right royally has loyal India responded to the trumpet-call of duty at this most critical juncture in the Empire's history by incurring

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willing sacrifices of blood and money—sacrifices which are bound to leave their indelible mark on the future history of the British Empire, and are calculated to vastly strengthen the bonds of union which link its various parts together, removing misunderstandings, dispersing clouds of distrust, and creating a new spirit of fellow citizenship which will, in the end, redound to the glory of the Empire and prove, in the highest degree, beneficial to mankind in general. We in the Punjab feel what cannot but be regarded as a perfectly legitimate pride that our martial races, as well as the other classes of our people, have borne the lion's share of Indian efforts in upholding the honour and glory of the Empire, and in vindicating the sacred cause of righteousness and civilization. Our province has provided more than one-half of the Indian heroes who have written their country's name in letters of blood on the battle-fields of three Continents. More than 50 per cent. of the entire numbers of recruits who have enlisted in our Indian Armies since the outbreak of this unparalleled war have been drawn from the land of Five Rivers. It was, indeed, in the fitness of things that the province one district of which, *i.e.*, Jhelum alone, has given to the Indian Army a larger number of brave and heroic soldiers than the entire Presidency either of Madras or Bombay, should, on this critical occasion, have come forward, cheerfully and loyally, to bear the brunt of the Empire's battles and to add to the undying fame of its martial races under novel conditions of modern warfare. And our civil population have not lagged behind in proving to an astonished world how deep is the love and attachment which binds them for all time to their King-Emperor. They have freely given of their best to the various Relief Funds, Imperial and Provincial, started since the outbreak of the war, and have set a noble example to the rest of India by presenting to the military authorities a fleet of aeroplanes, the fund for which already exceeds in amount the whole of the Over-seas Aeroplane Fund.

“My Lord, even as the darkest cloud has its own silver-lining, this terrible world war has demonstrated beyond a shadow of doubt, the wonderful solidarity of the British Empire, to the utter astonishment of our foes and the profound delight of our friends. A new spirit of comradeship born on the European, African and Asiatic battlefields, a new feeling of partnership arising out of common efforts and common sufferings has begun to pervade throughout the different parts of Greater Britain, which will prove a source of increased strength and abiding vitality to itself. And in India, it has heralded the dawn of a new era of official and non-official co-operation which has filled the hearts of all sincere well-wishers of the country with bright hopes for her future. I see above the distant horizon signs of the complete break up of those dark clouds of distrust and misunderstanding which have hitherto often kept the two classes at arm's length from each other, and presently the glorious rays of mutual understanding and good-will shall break through the dark clouds, flooding the high peaks of the Himalayan range and the broad valleys of the Indus and the Ganges with the bright effulgence of a common Imperial patriotism which will raise India to her legitimate and proper position in the greatest Empire the world has ever known.

“My Lord, with the close of the current financial year will terminate the period of your Excellency's high office as the august representative of our King-Emperor in this country. By your far-sighted statesmanship, your fearless championship of India's claim as a partner in the glorious Empire of Greater Britain your noble support of the cause of education and sanitation; your successful advocacy of the right of our Indian Army to defend the honour and uphold the glory of the Empire along with their British and Colonial comrades on the battlefields of Europe, and your loving solicitude for the welfare of 310 millions of your fellow-beings whom a wise Providence has placed under the fostering care of the British Raj, you have not only won for yourself a unique place in the hearts of our people, but have also greatly strengthened the political connection between England and India. And the prospect of India's representation on the Imperial Conference, the thin end of the wedge driven into the wooden barricade of Free Trade by the Indian Tariff Act, the appointment of the Public Services Commission and now of the Industrial Commission, the noble and

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inspiring ideal, however distant its realization, sketched by your Excellency's Government in the famous Despatch of 25th August 1911, and, above all, the new political atmosphere created by your sympathatic *régimé* have set our heart-strings vibrating with hope and confidence for the future of our country. In my province of the Punjab, we are deeply grateful to your Excellency and to His Honour Sir Michael O'Dwyer for the recent expansion of our Provincial Legislative Council to almost its full statutory limit. And though in spite of its great political importance as the backbone of the British Raj in India and of its phenomenal educational and material progress, the stigma, absolutely undeserved, of being a non-regulation province with an inferior Judicial and Executive machinery still attaches to the Punjab, it is not for want of effort on your Excellency's part to remove this glaring injustice at least in respect of the elevation of our highest judicial tribunal to the status of a High Court.

"My Lord, on your return to England, your Excellency is destined to play a leading part in Imperial affairs. Whatever the exalted position in which it may please God to place you, your Excellency will carry with you the prayers of His Imperial Majesty's grateful Indian subjects for a happy and prosperous life. May we express a hope that in the midst of whatever high and responsible duties may occupy your time and energies, your Excellency will continue to take some interest in the future welfare of India and of her peoples, and to plead their cause in the inner Imperial Councils where your opinions are bound to carry weight and your voice listened to with respect and attention."

**The Hon'ble Mr. Abbott:**—"My Lord, I beg to be allowed to associate myself with my Colleagues in congratulating the Hon'ble Finance Member on the clear and able Budget he has presented to this Council. My Lord, your Lordship's impending departure from India will be a sad blow to us, but we hope your Excellency will find in your retirement that rest and comfort which your heavy duties of office and private cares have denied you. It will also be a source of great satisfaction that under your rule India has made steady and very considerable advance in so many branches of human activity.

"My Lord, the Budget, I am gratified to see, provides for the necessary enhancement of taxation, and neither the public nor the press has expressed any serious complaint against the provisions made. In fact, it is on all hands acclaimed as 'poor man's budget.' Notwithstanding, that, much has been said and written against the enhanced tax on salt, but if the objectors had gone into the question at all, it would have been obvious that the slight enhancement works out to an incidence on the poor of about half a pie or one-sixth of a farthing per mensem. Now, my Lord, that will not be an insupportable burden and will be a mere bagatelle compared with the taxation on the poor in the Home Country. Even the very poor welcome the enhancement as enabling them to give their little something towards the needs of the Empire, and my information leads me to believe that even a greater enhancement would have been received cheerfully. My Lord, I regret the taxation on tea is not so free from complaint. The feeling is that the tax will lead to the capture of our markets by foreign teas. It is felt that the larger revenue required, instead of being provided for by the increased taxation on tea, could have been easily secured by a small death-rate levied on the estates of the rich, just as the death rate of Britain provides an important contribution to the Home Exchequer.

"My Lord, turning from a very incomplete survey of the Budget, I beg to avail myself of the time-honoured privilege afforded on this day to Members of this Council, and to speak of the needs and legitimate aspirations of the Domiciled Anglo-Indian community whom I have the honour to represent. To begin with, my Lord, I beg to offer a most sincere expression of the deep sense of gratitude felt by me and the Anglo-Indian community towards your Excellency, His Excellency the Commander-in-Chief and all the Members and Secretaries in charge of the Departments of your Excellency's Government for the many acts of kindness and sympathy extended to the furtherance of the community's needs. My Lord, in the times

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through which we are passing it is not my intention to bring forward all our grievances, but I feel that I would be betraying the trust imposed in me were I to remain silent regarding our most pressing need—that there is no representative of the community in the Presidency and Provincial Councils. In pressing for the early consideration of this question, the Anglo-Indian community feels that it is not asking for anything exaggerated or illusory, but only for that which is granted to all other communities, and for that which the Anglo-Indian community, having its home here, has a natural right to expect for its protection and its advancement. I beg therefore that your Excellency's Government will take up the favourable consideration of this question.

“My Lord, when I entered this Council three years ago, I felt that the chief disability under which the Anglo-Indian community laboured was the bar to the enlistment of Anglo-Indians in the British regular army. I felt that, however else the community might progress, this disability was working like a cancer, because the community felt that it was unjustly kept from rendering military service—the heritage of British blood in its veins. My aim was to ask for the removal of this bar sinister. I was told on all sides, even by many Anglo-Indians, that it was impossible, and that my ideas on this subject were doomed to dismal failure. In spite of these forebodings, but with the sympathy of your Excellency's Government, I have worked incessantly towards the realisation of my hopes. Two days ago, my Lord, the Adjutant-General handed me a copy of the pamphlet I have here in my hand which contains the conditions upon which the Anglo-Indian force recently sanctioned may be raised. The bar sinister has been lifted, and we have been given our Magna Charta. For this and other favours I have already tendered to your Excellency's Government the most grateful thanks of the community, which is determined to prove further that small quantities of good service are better than tons of profession. As an instance, I may submit the case of my own employés. One of my secretaries has informed me to-day that all my Anglo-Indian managers and assistants, 20 in number, have applied urgently to be allowed to join the new force as privates. This is in addition to the 7 who have already joined the Army or gone to the front, and I shall sanction their request. This will cripple my business and in any case reduce it to a state of chaos for a considerable time. But what does that matter? I am the happiest man in India to-day. Complete success, however, appears to be questionable owing to the inherent difficulty in the scheme that recruits have to await the permission of their superior officers to enlist. This leaves a loophole for shirking by unwilling though able-bodied men, who, I trust, will be in a small minority, and for employers of willing men who may stand in the way of their employés for personal reasons and not in the public interests. In conclusion, I would crave, therefore, that your Excellency's Government will be pleased to issue a circular to all concerned, including railway, police and other administrations, enjoining the necessity for promptly setting free all men serving under them who may desire to join the Anglo-Indian force.”

**The Hon'ble Mr. Setalvad :—**“Your Excellency, on this occasion we are supposed to discuss the Budget, but by some time-hallowed tradition of this Council Hon'ble Members speak on most matters absolutely unconnected with the Budget, not excluding questions like infant mortality and Muhammadan holidays. I could have indulged, your Excellency, in a great many matters unconnected with the Budget, as various Hon'ble Members have done; I could also have dilated on matters more intimately connected with the Budget. But the hour is late, and we are all very anxious to hear the pronouncement of your Excellency. I will not therefore detain the Council beyond associating myself with what has fallen from various Hon'ble Members about your Excellency's approaching departure, and I beg most respectfully to wish your Excellency all prosperity and happiness in your native land.”

**The Hon'ble Mr. Rama Rayaningar.—**“My Lord, the Hon'ble Sir William Meyer has fully maintained in the Budget under discussion that

high standard of finance administration for which he has earned so great a reputation. He is alert to the exigencies of an uncertain and trying situation. His arrangements are dictated by great prudence, and it will be unfair to deny him all praise for their soundness. I am glad that the Hon'ble Finance Member notes with satisfaction the curtailment of expenditure in Madras. I am also glad that special allotment has been made for the revision of village establishment in that province.

"My Lord, provision must have been made for the bifurcation of Ganjam and the Agency tracts of the Madras Presidency into Uriya and Telugu districts. The Uriya-speaking people of the Madras Presidency form a race with distinct language and noble traditions. They are now merged in a Telugu unit where they have no chance of development. They complain they are greatly handicapped by the predominance of the Telugus. The complaint is well founded and long standing. Sooner or later the bifurcation must take place. The sooner it does the better for the Uriya people.

"My Lord, there is one significant note in the Budget which might create some uneasiness in the public mind. The Hon'ble Finance Member states that one of the results of the war will be that our military expenditure will be increased in future. This is a point upon which a clear expression of public opinion is necessary. In connection with the war, there is a perfect unanimity among the people that a reasonable proportion of the cost should be charged to India. The temporary burden we are all willing to bear. But when it comes to the question of a permanent addition to our military charges, the matter is different. The case would require the most careful examination. The military arrangements are certainly to be made by the military authorities, but the people have a right to have their say about the broad features of the situation. As pointed out by Lord Salisbury, military efficiency must be relative. In other words it must be determined according to the military requirements as warranted by the fiscal position of the country.

"The war, my Lord, must have made it clear, that a change in the military policy of this Government is necessary. The people have so long been excluded from all association with the defence of the country both internal and external, and the result is that in this hour of trial of the British Empire, in spite of her teeming millions and her earnest desire to share in the heat and the burden of the day, India is unable to put on the field an army in proportion to the magnitude of the operations. We have no militia: the Hindus and Muhammadans cannot serve as volunteers; recruitment is exclusive, and whole classes are left out. The cumulative effect of these causes is that the martial spirit of the general population is dead; it is decaying even among families heretofore connected with the military profession. This is a condition of helplessness which cannot redound to the credit of the Administration. We earnestly hope the lessons of the present war will produce a change of policy. My Lord, some scheme of national militia on the lines suggested by my friend the Hon'ble Malik Sahib should be formulated. Will not Government find it expedient to admit Indians freely into Volunteer Corps, and to organise under proper safeguards a national militia to be called up in the hour of need?

"My Lord, the suggestion of throwing open the commissioned ranks of the army to Indians of proved merit and respectability, claims the sympathetic consideration of Government. Cannot Government utilize in the service of the Empire the dormant martial spirit of the great aristocratic houses? The junior members of these families spend their time in idleness. That there is good material in abundance among the landed classes will hardly be disputed. Why then commissions in the army should be withheld from them? These are difficult problems. But it cannot be that the high-minded British statesmanship will be unable to find solutions for them. The defence of the present system of exclusion on the ground of caste and race distinctions is extravagant and unconvincing. Are not armies efficiently maintained by the ruling princes? Are the people of those states free from caste and race distinctions? It is time, my Lord, a departure should be taken in the suggested

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direction. Through your Lordship's benevolent policy and noble initiative, a substantial improvement is perceptible in most of the departments of the Administration. Your Lordship has taken throughout your Viceregal career a keen personal interest in the matter of education and sanitation, new schools and colleges, nay new universities are coming into existence. More dispensaries and hospitals are being opened. Improvement of the indigenous systems of medicine is receiving Government attention. Larger grants have been made for the advancement of education, sanitation and the other local needs. These departments have been made the portfolio of the Indian Member of the Imperial Government. Their financial future finds guarantee in the Hon'ble Finance Member's recent statement in connection with his proposal for revising the rate of income-tax on higher incomes that—

'after the war further funds will have to be provided for such beneficent purposes as the improvement of education and sanitation.'

The Agricultural Department is doing excellent work, and with larger employment of qualified Indians in the service its usefulness will appreciably increase. The railway policy of Government has been liberalized and the nationalization of railways is being considered. The grants for irrigation works have been maintained. Protection has been afforded to some of our industries by successive amendments of the Indian Tariff Act. Through the Finance and Currency Commission, the Public Services Commission, and the recently appointed Industrial Commission your Lordship has sought to place Indian finance on a sound basis, to enlarge the scope for employment of Indian talent and to secure a rapid development of our manufacturing industries. To facilitate the supply of labour for the development of indigenous industries, and more than that to save India's honour abroad, your Lordship has set your eye upon the abolition of indentured labour. In the midst of all this many-sided improvement, in the Military Department alone the organisation continues conservative and exclusive. It is necessary that the military policy, too, should be liberalized to bring about an all-round development in the economic progress of the country.

"As has been observed by my friend the Hon'ble Sir G. M. Chitnavis, my Lord, it is highly desirable that Government should undertake a thorough inquiry into the present economic condition of the people. The importance of the subject cannot be over-rated. There is a sharp conflict of opinion between Government and the public about that condition. It is far better we know where we really are, and it is time that the question should be set at rest by conclusions based upon the result of an unprejudiced public inquiry.

"My Lord, after the acceptance of the Resolution recommending the appointment of a Jail Commission, we naturally expected Government would take immediate action ; but full two years have passed without any steps being taken to hold the necessary investigation. It can well be believed that, but for the war and the expectation that it would come to an end shortly, Government would not have continued inactive. But since the war promises to last much longer, it would be disappointing to have this very important matter of Jail reform held up indefinitely. The Civil Administration has to go on in spite of the war. It is inconvenient to delay reforms of an urgent character. The cost of the Jail Commission will not be large. Even if it were, the extra expenditure would have the support of public opinion. We are budgetting for a large surplus. A portion of that could certainly be applied to this very useful and necessary purpose. I, therefore, earnestly hope Government will be pleased to appoint the promised commission at an early date. It will be a fitting sequel to your Excellency's enlightened administration.

"My Lord, to-day for the last time your Lordship presides over this Council. And what a painful idea that is to us ! My Lord, you have really befriended us. You felt with us. You fought for us. You spared no pains to better our interests at Home and abroad, and to secure for us a dignified place in the Empire.

'A Government national in spirit though foreign in personnel'—was the late Hon'ble Gokhale's ideal—a Government which subordinates all other considerations to the welfare of

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the Indian people, which resents the indignities offered to Indians abroad as though they were offered to Englishmen, and which endeavours by all means in its power to further the moral and material interests of the people in India'

was his dream. My Lord, in your Viceroyalty the dream of the departed patriot was, I venture to think, well nigh realized. You have rendered a great and glorious service to our country, and you have secured for yourself an abiding place in the hearts of our people. It is a source of immense gratification to us to learn that His Imperial Majesty has recognized your Lordship's great and glorious services by conferring upon you the highest honour, the Knighthood of the Most Exalted Order of the Garter, while yet you are in the midst of your labours. We most respectfully congratulate you. May God bless you, my Lord."

**The Hon'ble Mr. C. Vijiaraghavachariar:**—"My Lord, the Budget has been called a Taxation Budget and also a War Budget. Taxation Budget it certainly is, but I doubt very much whether it is a War Budget, except perhaps for a mysterious formula framed and bestowed upon the Government of India from Whitehall which takes away more treasure from us and gives us none, during this crisis, in return. The Budget itself, I must say, embodies solid principles of justice and impartiality. I do not believe that the new fiscal provisions have been adopted as a temporary measure, and they ought not to be a temporary measure in my opinion, except in so far as they relate to the salt tax.

"Although it is considered a political heresy to take the country and the Non-official Members into confidence in advance in preparing Budgets, a Retrenchment Committee might have been appointed before the present Budget proposals had been formulated. If such a Retrenchment Committee had been appointed, it could have shown in what way public money could be saved now. I can point out three directions in which this could be done

"One has relation to the expenditure in the Telegraph Department. I believe that part of the expenditure in the Telegraph Department is both illegal and unjustifiable in public interests. - Reuter in his own name, and, I have reasons to believe, under an alias, is drawing enormous sums of money from the public treasury, Imperial and Provincial, without being entitled to the same. I venture to submit that a most cursory investigation would disclose that the practice obtaining in this connection is clearly illegal. It is illegal because it violates the International Convention, and it is in defiance of the law and rules existing in the country on the subject. And I could point out that in this connection one important article, growing in volume and circulation, is in the free list needlessly at the expense of the tax-payer. Long speeches are telegraphed by the agency at the tax-payer's expense under the name of 'Press concessions.' I really cannot see any reason why all these speeches should be sent by wire and not by post. Occasionally unspoken speeches are telegraphed too, and the lines are blocked up to the serious injury of the interests of the mercantile world and of the general public. Now the one article which is exempt from taxation, *i.e.*—vanity—ought to be made to pay for this. I venture to think that, if the concessions for the press telegrams relating to speeches are withdrawn being not quite legal always, the vanity of the speech-makers or their admirers would be taxed to the relief of the tax-payer and also of the press. If a Retrenchment Committee had been appointed, it would have shown how improper it is to continue the whole of the expenditure in this department. Throughout the country officials are now receiving subsidized private telegrams, absolutely unnecessary, only a few hours before the public see them in the Press. Unless they are called upon to take immediate action as to which State telegrams would be more suitable, it is of no great use to them except to have their chat in the clubs the previous evening. I see no reason why this practice should be continued. Very often it makes only a difference of a few hours, and for the sake of a few hours, Reuter gets not only money he is entitled to, but he also gets money he is not entitled to, in my opinion. In this way he makes enormous profits at our expense.

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“Then I come to the expenditure in the Postal Department. The Hon’ble Mr. Stewart said it is better to tax third class railway passengers as a war measure. I would rather that you taxed the whole public by means of postal rates. It is needless to give us 10 tolas for one anna for letters. I think it ought to be reduced at once. In England, I believe—I do not know if it has been actually done—but I believe a proposal has been made to raise postal rates recently. I think the allowance of ten tolas for one anna for letters is not called for in public interests, and it ought to be reduced to two tolas as the best.

“Then we have grants for Universities which are needless at present for the proposed Patna University, the Dacca University and the Rangoon University. Why these lakhs of rupees should be allowed to lie idle long before the schemes can be matured I do not understand. If these things had been carefully considered, my humble opinion is that the salt tax would have been unnecessary, and the graduation of the income-tax could have been made gentler and more satisfactory.

“My Lord, it is unnecessary for me to make any suggestions for reform to-day as it is usual on such occasions. I believe most of those suggestions are at this juncture premature ; but I do expect and hope that what is freely mentioned now in the papers, namely, that there is to be a Council—by whatever name it is called—for the whole of the Empire, will, so soon after the peace is reached, be constructed. It will be impossible for the House of Commons to add to its present number of members from the other parts of the Empire. In my humble opinion, it is undesirable too having regard to numbers or functions. If the number is over 600 for Great Britain, what should it be for the whole Empire ? Not less than 6,000 I should say. Then what about the functions ? Will it continue to discuss the health of hops, swine fever and what not all of parochial interest, and are all the members of the Empire to take part in the discussion of such questions ? My belief is that there should be an assembly who should be charged with functions relating to the defence of the Empire and with commercial relations and fiscal policy *inter se* and with the rest of the world and to questions connected with international law. If such a Council is constructed by Statute, electing members from all parts of the Empire, with a small Cabinet constructed partly out of it and partly outside, by nomination by His Imperial Majesty, then we can the more satisfactorily consider all other reforms which will be specially necessary for the various limbs of the Empire according as their local conditions and requirements necessitate.

“Then, my Lord, I join in the expression of national gratefulness to your Lordship in person. It would be exceedingly embarrassing to you and to me to dwell on this matter at any length. The achievements alluded to by my Hon’ble Colleagues who have spoken before me here to-day, are, I think, tangible and visible, recorded achievements only. There are intangible and unrecorded achievements which have to be placed to your credit. The historian of India, in appraising the value of a Viceroy, should take into account not only what he has done, but also the very special conditions and limitations under which he did it. There are at least two limitations—to which, if I may, I shall allude to just at present, one from above and another from the side. First, as to the limitation from above I beg pardon of the Hon’ble the Finance Minister when I say that I believe it is wrong to call the Government of India the subordinate of the Secretary of State. The relations subsisting between the Secretary of State in Council and the Government of India are at once complex and delicate, but this Government are not, in the ordinary sense, subordinates of the Secretary of State. But still I admit that in a manner this Government is obliged to take instructions which are in reality mandates from the Secretary of State. Then there is the other limitation—arising from the Executive Council. This Council has inherited very great powers both by law and by tradition. It must be remembered that the Executive Council of Madras (which was then the premier Province before accident made Bengal the Government of India) once upon a

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time deposed the Governor, arrested and imprisoned him, and before relief could come to His Excellency from Home, he died. Now, the Executive Councils of India are quite conscious of their powers. My belief is that in achieving what you did, my Lord, you have educated your Hon'ble Colleagues of the Executive Council and inspired them into more solid and higher principles and into loftier ideals, both by precept and by example. I consider this achievement of much more national importance than specific instances of policy and measures connected with education and sanitation.

“ For all these reasons, my Lord, and if it is true that—

‘ Peace hath her victories no less renowned than war ’

I venture to think that you will take your place, not in the obscure pages of Indian history, supplemented by the inevitable statue, but in the world's roll of heroes.”

**The Hon'ble Pandit Madan Mohan Malaviya:—**“ My Lord, at this late hour I will not take up much time by dwelling on the many aspects of the Budget which has been discussed to-day ; but there are some points to which I wish to draw attention. There has been a great deal of opinion expressed that if a more earnest effort had been made to reduce expenditure than has actually been made, we might have avoided some at least of the extra taxation. I submit that that is a perfectly fair and just view, and I join my friends who have pressed this matter upon the attention of Government, in expressing an earnest hope that Government will seriously consider the question of appointing a Committee to go thoroughly into the matter. No doubt, my Lord, the present Budget is an exceptional Budget dealing with exceptional circumstances. As such it has received the loyal support of all sections of the community ; but it is due to the general tax-payer that the question of a reduction of expenditure should be more thoroughly gone into. In England, a few months ago, a committee was appointed to inquire into civil expenditure, and I understand that it has recommended retrenchment to the extent of 2 millions. Here, too, some retrenchment has no doubt been brought about, but the public is not satisfied that all the retrenchment that could be brought about has been effected. And that being so, I hope the Government will be pleased to consider the question of appointing a committee of non-officials and officials of this Council to go into the matter. I do not want a large committee, much less do I want a commission which should go all over the country. I only want a committee of Official and Non-official Members of this Council to examine our civil expenditure, and to suggest reductions which the Government may see its way to adopt. The second aspect of the Budget which has been criticised relates to the taxes that have been imposed. We need not repeat all that we have said before on this subject. There need be no fear that it will be regarded that we endorse all that has been done, if we do not repeat all that we have urged before with regard to the increase of the salt tax, or any other matter. But I wish to notice some points which have been urged for the first time to-day by the Hon'ble Mr Stewart. He has urged that the amount required should have been raised by means of taxes other than those that have been imposed. I submit, my Lord, that his suggestions are not at all supported by Indian public opinion. For instance, his proposal to increase railway rates and postal charges would be generally regarded as an unjust addition to the burden of the general tax-payer. On the other hand, the higher income-tax, which he is right perhaps in saying is unpopular to a certain extent with those who have to pay it, is a tax which is regarded by the general public as an equitable tax. Its principle is indisputably sound. Those who are able to pay ought ungrudgingly to pay when they are called upon to do so in the public interest.

“ Then, it has been urged by more than one Hon'ble Member that these taxes should be temporary ; that they should be taken off after the war. With due deference to these Members, I submit that it is not fair to the general tax-payer to say that all the taxes which have been imposed at present should be

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taken off after the war. When the time comes when the question of a remission of taxation can be taken up, it will be proper to consider which of the taxes ought to be taken off and which should be retained. As I have said once before, I hope that when that time comes, the principle that the burden of taxes should be distributed according to the capacity of those who are called upon to bear it, will be steadily kept in view, and that the general tax-payers' burden will be made lighter than it is at present.

"Then, my Lord, the question has been raised of the use that might be made of the additional revenue derived from these taxes if they are retained. I hold that when peace is restored and Government finds itself in normal conditions, the retention of the present taxes will not be justified unless the Government will commit itself to a programme of compulsory education, and a large programme of sanitation and the promotion of indigenous industries. I hope such a programme will be undertaken. If it is not, then certainly there will be very great force in the contention that these taxes should be taken off. My Lord, I leave the Budget with these few observations. I had a desire to go into certain constitutional questions, but time does not permit of my doing so. I am certain that your Excellency's experience of the work of this Council during the last five years and more has fully impressed you with the need for a great constitutional change, both as regards the constitution and powers of the Council. I hope, my Lord, that when the time comes for considering such a change, your experience of the work of this Council will support our demands that there should be greater powers conceded to the Non-official Members of this Council, and that they should have a substantial voice in the determination of questions, both of policy and of executive administration, with which the Government of India have to deal. But I will leave the matter here for the present.

"There is only one other matter, my Lord, to which I wish to refer, and that is your impending departure from our midst. I will not reiterate the regret that we all feel at it, it is unnecessary to do so. I will address myself, if I may, to a different task. In a few short days your Lordship will be leaving us; you will soon find yourself back again in your home in England. I request your Lordship to kindly carry from the people of India a humble message to His Majesty, the King Emperor, and another to our brethren in England. To His Majesty, the King Emperor, I beg your Excellency to convey our deep and dutiful devotion and unswerving loyalty to his person and throne. To our brethren in England, I request your Excellency to convey our message of deep and admiring sympathy with them in the magnificent effort which they have put forward in the righteous war in which the Empire is engaged. My Lord, English patriotism and the English sense of duty stood high enough before the war; but they have reached their climax in the present mighty struggle. We all know that England was unprepared for the war when she had to enter upon it against one of the deadliest of enemies who had been preparing for a whole quarter of a century for it, and yet we know how, though so unprepared, England has risen to the height of the occasion; how she has baffled her opponents and helped her Allies, and that mainly by the voluntary system of military service. In doing so, she has shown to the world what English patriotism and English sense of duty to one's Country and Crown can accomplish! My Lord, several Hon'ble Members have referred to our humble contributions to the war. I am thankful that those contributions have been generously appreciated and acknowledged both in this country and in England; but when I think of them alongside of the colossal sacrifices which England has made, which our English brethren have made and are making, I really wish we were able to render far greater aid to them. But if we cannot, we yet sincerely admire our fellow-subjects, Englishmen and Englishwomen, for the sacrifices they have been making. We deeply sympathise with them in the loss of kith and kin they have suffered, in the bereavements they have sustained; we admire their determination to spare neither life nor treasure to uphold the honour of the Empire and the cause of righteousness throughout the civilised world. I beg your Excellency to assure our brethren of our deep sympathy with them and of our deep admiration for them; of our readiness to offer them every co-operation which it is in our power to offer, and of our earnest hope and

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prayer that their great sacrifices will soon be rewarded by glorious results. I request you, my Lord, further to tell them that we hope and trust that when the noble principles for which they have been fighting, the principles of liberty, of justice, of the unmolested independent existence of free nations, have been vindicated and re-established, they will see that these principles will be applied equally and impartially to every portion of the British Empire, and that India and her children will be treated and dealt with as equal fellow-subjects wherever the British flag flies. My Lord, I have done. I hope and trust that wherever you may be, you will continue to take an active and sympathetic interest in the affairs of my country and my people."

**The Hon'ble Nawab Syed Mohammad Sahib Bahadur :—**

"My Lord, I am sure that the Hon'ble the Finance Member has already perceived with gratification that the reception of his clear and well-thought-out Budget has been as sympathetic and favourable as he had a right to expect. I may say that 'the great concern' which he said the Government of India have felt that the last Budget of your Excellency's *regimé* should involve additional taxation, would by this time have been alleviated by the manner in which the country has accepted his Budget proposals, however much in some respects they were open to objection. The country has realised the import of the unanimous resolution of the Government of India last year of the unswerving resolve of Indians to support the honour, dignity and prestige of the Empire regardless of the sacrifices it may entail on them. In Sir William Meyer and in your Excellency they possess, in the realms of Finance, their staunch supporters against any undue demands of the British Treasury or the War Office on the one hand and the clamours and extravagant demands of the critics of India's contribution to the war on the other. It is unnecessary for me to speak of the deeds of our fellow-citizens in the field, or of the voluntary contributions of the prince and peasant alike for the conduct of the war to a successful issue. Nor need we point to the manner in which additional financial burdens are borne by the people, along with the privations and hardships which the war has entailed on this country as much as on other parts of the Empire. If we then say anything about the actions or the policy adopted by the Government it is not with a view to reduce any legitimate sacrifices required of us, but with a view to have a just and equitable distribution of the burdens of the war in which we should equally share with other parts of the Empire. It is in this view that I venture to join my Hon'ble Colleagues in deploring the decision of His Majesty's Government in England to refuse their consent to an increase in the cotton duties accompanied by a repeal of the countervailing excise duties. I by no means desire, and I believe my countrymen also do not desire, that your Excellency's Government should be embarrassed at this time by any agitation in this connection, but we all do hope that the moment the pressure of the war ceases, India will get her rights in respect of the removal of this burden, and that no pretext will be found to shelve the matter.

"I have to urge the same plea in respect of a more directly financial matter pertaining to the interests of the Provinces which we, Non-official Members, represent. The enhancement of the Income-tax which has now been made is no doubt levied as a war measure,—though with a view to merely strengthening the financial position of the Government of India. But it is to be borne in mind that the taking away of the whole of this extra taxation is a violation of the Permanent Financial Settlement made with the Provinces by which the revenue derived from the Income-tax is to be shared equally between the Provincial and the Imperial Governments. It is no doubt the right of the Government of India, under special and extraordinary circumstances, to call upon the Provincial Governments to contribute to the funds of the Imperial Government, and I presume that this extra taxation is wholly appropriated by the Imperial Government by means of such a call on their part. If, as we all devoutly hope, the increase in the Income-tax is not removed as soon as the war pressure is over, the Government of India, I am confident, will repair and restore the breach in the settlement which they are now making, and give to

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the Provincial Governments their just share of whatever increases, by way of expansion or additional taxation, may be left in the Income-tax imposed upon this country.

“ There is one other matter pertaining to my own Presidency which, perhaps, I may be permitted to call attention to, and that is in connection with the construction of the Branch Railway lines in our Presidency. It is well known that Madras was the first Province which began the policy of having branch and feeder lines constructed by the District Boards out of special cesses levied for the purpose, and it is only recently that the Government of India recommended this enterprise on the part of the Boards in Madras for other Provinces to follow, while the terms of Branch line constructions have also been recently revised. It has, therefore, been a matter of special regret to us that in respect of certain recent proposals for the expansion of District Board enterprise in the Madras Presidency in this direction, the Government of India have accepted the offer of a private firm in supersession of the claims of the District Boards concerned, though neither is in a position immediately to begin work. The Government of India, according to a recent Madras Government order, entirely accept the principle that the District Boards should generally have a preferential right to construct branch lines as against private firms offering to do the same, but in the particular case under discussion, the Government of India, it seems to me for very inconclusive reasons, have decided that the private firm's offer may be accepted. I understand that neither private firms nor the Boards will be in a position to raise money in the open market until the Government's Loan operations are over; and there is no necessity to have this question decided immediately. There is now another Railway project which two District Boards are willing to undertake, namely, Ramnad and Tinnevely, but, owing to the unfavourable financial situation, the Bank of Madras has expressed its inability to find the finance for them at the present time. I trust that the District Board's offer in this case will be considered to be pending as against that of other private offers by firms, and the principle of preference in favour of a public body will be duly given effect to.

“ My Lord, as one of the oldest members of this Council, I hope you will allow me the privilege of giving a feeble expression to the feelings which are now uppermost in our minds. You have guided the destinies of this country during one of the most eventful and critical periods of its history; but more than that you have guided the destinies of this country at a time when a terrible and an unparalleled struggle is going on with all the resources of science, resources which should have been used for the improvement of humanity instead of its destruction. Our Empire has intervened in this struggle for the cause of humanity, and not for the aggrandisement of Monarchies or Empires. England has lighted this torch not for unity of race or of State, but for liberty, and whatever might be the fortunes of the war in particular theatres or at particular points, its final outcome can only be one and that is the victory of right over might and of liberty over bondage. If your Lordship has not fought this war of liberty on the field of battle, you have fought it no less strenuously in India herself not only in organising the assistance which this great country is rendering in the conduct of the war, but also in the far greater work of ameliorating the condition of millions of His Majesty's subjects whose Viceroy you have been during the past five years. Your Lordship came to this country pledged to a course of pacific progress in foreign as in home affairs, as the one best calculated to promote the honour and interests of Great Britain and the welfare and progress of the people of India. But war became a necessity, and you did not flinch from taking necessary steps in associating the Indian people in the great struggle which is going on in Europe. Not less courageously, however, did your Lordship champion the cause of liberty against serfdom when the people of this country were in danger of such a state in South Africa under the British flag itself. The services you have rendered to the country at that time not only led to the peaceful settlement of an acute Imperial problem, but it has also elevated the status and the rights of the Indians in the estimation of their fellow members of the Empire, a position which subsequent events in the war have led so much to

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strengthen. It would hardly be necessary on the present occasion to speak of the principles that uniformly guided you in the internal policy of the country. Though there have been occasions when differences arose on specific measures, still I do not think there was any time at which either the people or their representatives in this Council felt that your Excellency, both in your official and in your own personal capacity, has not striven your utmost for helping and pushing forward the Indian cause. Of the many measures by which you demonstrated this attachment to the cause of the people and the placing of their interests above considerations of prestige or other vested interests, it is equally unnecessary for me to speak; but what is a matter of the keenest regret with us now is that it has not been possible for you to stay longer—until after the great occasion which, we hope, will arrive on the conclusion of the war for placing India and her people on their true relationship with the Empire as an equal and integral part thereof, with the same status and rights as are enjoyed by the overseas Dominions. We would only miss you in India at that time, but we hope to have at least the consolation of having you in England, in your place, at the time when the Imperial Settlement may be made, to voice the claims of India, to use your knowledge, your position and influence for the millions that are holding your name in such great love and regard, and that you will eventually succeed in obtaining for this country those measures of political reform and a much larger share in the government which would inaugurate for its peoples, an era of Imperial greatness and national progress. In wishing your Excellency a safe voyage home, I pray that you may be called upon in the near future to fill offices greater than the one you are laying down, and take a larger share in shaping the destinies of the Empire. I have only to mention two of your Excellency's last acts to justify this remark. The announcement made by your Excellency the other day about the decision of your Government to abolish the system of indentured labour has been received with universal gratitude, as it will put an end to a form of helotry, to use your Excellency's own word, which has long been resented by the Indian public opinion. I may also take this opportunity of mentioning with what feelings of gratification we have heard of the announcement of the appointment of a Commission to inquire into the question of Indian industries and consider possibilities of their development."

**The Hon'ble Mr. Madhu Sudan Das :—** "My Lord, it is very late, but I want to say just a few words. I thoroughly associate myself with the words of congratulation that have been offered to the Hon'ble the Finance Member. I should like to add that we have reason to congratulate ourselves that we have such an able Finance Member at the present anxious times. It was our highest aspiration to rise to the same level as the other parts of the British Empire. Your Lordship's Viceroyalty has been distinguished by this that you have tried to raise us. Whatever other Viceroys may have done to improve the condition of one class, or to open appointments to certain classes, you, my Lord, have tried to raise India to the same level as other parts of the British Empire. Fortunate or unfortunate I am inclined to look upon the war as providential. Just at this time war has come, and India has been put to the test. There are many critics who do not believe that India is loyal, but Indian loyalty has been put to the test. We have a Finance Minister who is more anxious to raise and protect the honour of India. He is more valuable to us than a person who is only concerned with the pocket of India. The last time in this Council when one of the Hon'ble Members made some remarks which went to show that India did not do her duty to the Empire at this critical time, Sir William Meyer defended India and added the words 'I love the people of India.' I think we should congratulate ourselves that we have such a lover of India as the Hon'ble the Finance Member at this time. As some remarks have been made with regard to the salt tax, it should be remembered that the Budget is a cast iron, cast in England, a sea-girt island—and it is a matter of no great wonder if it absorbed saline matter there, you may blow as hard as you like you cannot melt it, consequently it remains there

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“ My Lord, I should not be doing my duty if I did not on an occasion like this express the feelings of the people of Bihar and Orissa to your Excellency. When you landed in India as Viceroy, with the rest of India, Bihar and Orissa welcomed your Lordship as a Viceroy, but your special attention to that baby province, to the needs of the province and all that has tended to give it a proper status with the rest of India, has thrown a tenderness around the feelings of the people which I shall not attempt to describe for fear that I might destroy that tenderness. At the commencement of your Lordship's *regime* the sky of India was overcast, but on account of your Lordship's statesmanlike steerage, India was soon brought to regions of sunshine and brightness. Your Lordship's sufferings and sacrifices have been enormous; you alone know the extent and intensity of them. I shall not attempt to describe them, nor can any man; the gratitude of India is written in tears of sympathy on the scroll of a nation's heart, and it may be some satisfaction to your Excellency to know that the example of your Lordship's sacrifices have not been lost as lessons upon the nation; they have borne fruits, precious and invaluable to the Empire, that fruit is India's resolution, at any sacrifice, to uphold the dignity, the honour and the prestige of the British Empire. It is the unanimous hope of the province from which I come and of the whole of India that God may grant your Lordship robust health, long life and prosperity, and may fortune and fame attend you in your future course in the world to which you are proceeding. When the sun the luminary of the day has done its duty in the east and goes down the horizon to the west to run its glorious course there, it does not leave the east in darkness. Your Lordship's sympathetic tone and progressive policy will be left behind, and we shall share them in the doings and policies of those Members who were associated with your Lordship in bearing the burden of the Empire. Just as, when the sun sets, we get the reflected light of the sun in the moon, so we shall have the reflected light of the policy of your Lordship in the Hon'ble Members of your Lordship's Executive Council.”

**The Hon'ble Lieutenant-Colonel Raja Jai Chand :—**“ My Lord, while congratulating the Hon'ble Finance Member on his surmounting the difficulties confronting this year's Budget owing to adverse circumstances consequent on drought and the greatest war in the history of the world, I can confidently say that the Budget has been prepared with considerable care and foresight.

“ My Lord, representing on this Council the Punjab landholders who constitute the backbone of the country, and are already sufficiently burdened by land-revenue, allow me to thank your Excellency's Government on their behalf for very kindly avoiding the imposition of taxes on them at such a critical time.

“ Last year I had put some interpellations regarding the maximum and minimum amount of pensions for disabled Indian soldiers, and I am very glad to say that a great deal has been done in that direction. The Indian soldiers have been making innumerable and heroic sacrifices side by side with Allied forces, in defence of the Empire. It is rather more pleasing and a source of pride as well to recall from papers the vivid and glowing description, given every now and then, of the conspicuous gallantry displayed in Dogra Regiments by some Katoch soldiers also of whose caste I have the honour to be a head. It is hoped that a further help would be extended to them by more grant of land. The high class Rajput Dogra soldiers of my part of the country cannot plough for themselves, and have their own ancestral holdings, which are quite inadequate, as I once pointed out, to meet their domestic wants for all the year round. It will, therefore, be only fair if more land were to be reserved for distribution among them.

“ I may be allowed to make another suggestion, *viz.*, about ‘the Indian Army Bandmaster’ who almost all are old soldiers. There exists, of course, a very great ‘anomaly’ in the Indian Army—that of the non-recognition of

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the Indian Army Bandmaster by the Government of India. I wish that the Indian Army Bandmaster be placed on the same footing with his brethren of the British Army by giving him honorary warrant rank on the Indian *Unattached* list, when they would come under the same rules for pay, clothing, pension, etc., as other warrant officers. The result would be that on one hand many an Indian Army officer, anxious to be off to the front, could be set free from the monotony of Depot work, and on the other, there must be lots of work with the field army at the present time, either in or out of India, in which an Indian Army Bandmaster could be usefully employed, according to his position instead of having to live and sit idle at his regimental depot.

"I hope I will be allowed to put in a word for the Indian soldiers, and that is, that allowances granted to them in one theatre of war should be on a par with those granted in the other so that the soldiers may not feel the difference, and I also trust that the question of increase of pension for the soldiers fighting in the battle-field shall receive the favourable consideration of the Government in due course.

"One word more, my Lord, and I am done. My family owes a deep and an everlasting debt of gratitude to your Excellency's illustrious grandfather, in whose benign Government we first got the Sanad-i-Tamlik of the Jagir followed by the grant of the title of Raja. I warmly thank your Excellency on behalf of the Punjab Chiefs' Association of which I have the honour to be a member, and land-holders of the Punjab in whose economic, social and educational welfare your Excellency has always been evincing keen interest. The idea that your Excellency is leaving India at a time when she badly needed your Lordship's far-sighted guidance and sound counsels, is inexplicably shocking and painful, but there is no other way but to yield implicit submission to the decision arrived at by His Majesty's Government. We wish your Excellency safe journey home, and fervently pray to the Almighty God to grant you long and peaceful life and prosperity—.

**The Hon'ble Sir William Meyer :—**"My Lord, as my friend Mr. Birkett remarked in the course of a very kindly speech, it is a source of great gratification to me, as Finance Member, that the Budget this year has been so well received. As your Lordship said this morning, in unveiling the bust of my distinguished predecessor, the preparation of the Budget is, in any case, a difficult and anxious task in India; infinitely more so, of course, in a year in which ordinary conditions have been dislocated by war, and in which it was necessary to prepare a far-reaching scheme of taxation. My Lord, you, as head of the Government, know with what care those taxation proposals were framed, and how anxious we all were to distribute the burdens we had to impose equitably; and I think we have our reward in the reception that the Budget has received. There has been general appreciation of the fact that additional taxation had become necessary; general appreciation of the fact that we had put the burdens on the right shoulders. I do not, of course, mean that there have not been criticisms on this point or on that; it would show an almost unhealthy state of unanimity if there were none such; but I think we are entitled to congratulate ourselves on the reception that the Budget scheme, as a whole, has met with; and I in turn would like to congratulate my Non-official Colleagues of this Council on the business-like way in which they dealt with the legislation which I had to propose a little time ago.

"Well, time is short and Members are naturally wishing to hear your Lordship. I won't go again over ground which has been trodden in previous debates as to whether we should or should not have imposed the salt tax, whether we ought to have budgetted for a surplus and so on. All that has been discussed before. We had various criticisms, and I gave what I thought were adequate answers on the part of Government.

"I will just mention a few new points. Various members have shown themselves laudably solicitous, during the debate, as to when these new taxes

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[ *Sir William Meyer.* ]

are coming to an end ; will they be purely war taxes, or will they go on ? I can only repeat what I said on that subject in a debate here on the 7th March, I will read it out :—

‘ Then, I have been asked what I shall do later on if peace and prosperity return, and we find ourselves in an era of surpluses. I can give no pledge as to the repeal of any particular tax now imposed ; when we are nearer to prosperity we shall have to consider the matter. My own personal view is, that when we come to consider the remission of taxation generally, the taxes to be first considered are those which specially affect the poor, and I say this that when we come nearer to prosperity, if I am still in office—or if I have gone, I can say the same of my successor—Government will take into consideration how far the taxes which have been imposed in times of adversity need to be continued, and if remissions are thought desirable, what particular form those remissions should take.’

“ I cannot add anything, my Lord, to what I said then. We have had various remarks about the precise form the conversion proposals in our forthcoming loan will take. I am fully cognisant of the importance of the terms to be offered and with the difficulties of the situation. As I said in my speech introducing the Financial Statement, one has to try and hold the balance even between the general tax-payer and the holders of Government Paper. We want, naturally, to help the holders of Government Paper as far as possible, but we cannot do that unduly at the expense of the tax-payer. I shall be going down to Bombay presently, and shall take the opportunity of discussing these matters with representatives of Presidency Banks and others. My Hon’ble friend Mr. Sitanath Ray, for instance, has spoken to me on the subject. I shall be only too happy if he will give me his views in a Memorandum, and they shall be most carefully considered, as also those of any other Member of Council who feels inclined to write to me on the subject. There has been some suggestion as to a separate sub-head for Sanitation : at present we have a single head, ‘ Medical ’ which includes Medical and Sanitary expenditure. I shall be very glad to consider the desirability of that ; and it is quite possible that by next year we may have accomplished it. I would remind the Council that we did something analogous last year when we separated agricultural expenditure from that on scientific and miscellaneous departments.

“ Turning now to certain individual criticisms, I think the only real jarring note was that struck by the Hon’ble Mr. Stewart. Mr Stewart, somewhat to my astonishment, accused me of being cynical because I gave correct figures about income-tax. He said it was cynical to tell the truth. Well, I would remind him when he laid stress on the small number of people who pay income-tax, that India is mainly an agricultural country, and that agricultural profits are exempt from income-tax. But if you want cynicism pure and unalloyed, take the Hon’ble Mr. Stewart’s own case. He sat quiet in Council when we had the discussion on the Tariff Act and the Income-tax Act ; never a word said he : when he comes to this day’s debate, he proceeds to make a number of criticisms which, if they were valid at all, he ought to have made either by introducing amendments himself at the legislation stage, or by supporting the amendments of somebody else. He now says the income-tax was quite unnecessary, you could have got the amount by raising railway fares, by raising postal charges. Well, the increased railway fares would be contributed mostly by the poor ; the postal charges would be contributed largely by the relatively poor. If Mr. Stewart is cynical enough to suggest that he and his friends should get off income-tax in order that the poor may pay extra in the way of railway charges, etc., I certainly am not going to adopt such a proposal ; and as my friend the Hon’ble Sir Ibrahim Rahimtoola took occasion to remind him, if we once begin to consider new sources of taxation, there are other possibilities.

“ Then my friend the Hon’ble Pandit Madan Mohan Malaviya proposed a Retrenchment Committee. That is a very usual panacea when times are hard, but having had some considerable practical experience of Retrenchment Committees, I can assure my Hon’ble friend that they generally act in the opposite direction. You have a Committee ; you hear a great number of suggestions for the decrease of expenditure ; the Departments at once get on their mettle and say that this expenditure is of the most desirable description

and then to carry the war into the enemy's camp they say that, so far from spending too much, they have not been spending enough, and they propose additional schemes of expenditure. So that, as has been remarked at home, Retrenchment Committees generally eventuate in an increase in expenditure. My friend referred to Lord Midleton's Committee at home. I believe we had Lord Midleton complaining in a pathetic way lately that they had made various suggestions for retrenchment which the Government had declined to accept. Again, even assuming that a Committee would be a good instrument ordinarily it would certainly not be so at present. We are all exceedingly busy during the war, not merely at Budget time, but throughout the year, and it would certainly be a very poor economy to have the time of the Finance Department, the Army Department, the Commerce Department, and practically every Department in the Government taken up, when they ought to be doing urgent work by considerations as to retrenchment. I must ask the Hon'ble Pandit to believe that, as Finance Member, I save money where I can, but I also have come to learn, and I am now a middle-aged man, that sometimes it is bad economy to save money, that you may save money and incur greater loss in the way of friction. However, I am sure that my Hon'ble Colleague, Sir William Clark, will bear in mind the admonitions of my friend Mr. Vijiaraghavachariar as to the expenditure on the Telegraph Department.

"Well, I will not detain the Council any longer, my Lord. There are various points which time does not allow me to glance at, but I may assure my Hon'ble friends that I bear them in mind.

"I would thank the Council once more for the kind references they have made to myself; and anything that is said about myself I venture to pass on to the officers of my Department and to my Colleagues in the Government. I have been helped, if I may say so, in a very special way in the framing of this Budget by the Hon'ble Sir William Clark—whom I am so grieved to have to lose presently—and by his officers. I hope, my Lord, that next year, when we meet again, things will have turned out well, that the monsoon will have behaved properly, and that I shall be able to give the Council a more cheerful Budget than on the present occasion."

**His Excellency the President :—**"Before I deal with the Budget and other matters, I wish to thank Hon'ble Members for the very kind and appreciative remarks that they have been pleased to make on me and my administration in their speeches to-day, and to assure them how highly I value their words, and how much I shall always treasure the remembrance of the very friendly sympathy of the Members of my Legislative Council at this the last meeting over which I shall preside before I leave India. I am profoundly grateful to you all.

"I have to congratulate my Hon'ble Colleague, Sir William Meyer, upon the reception accorded to his Budget. In the earlier years of my Viceroyalty it was our good fortune to be able in effect to give back money to the taxpayer. But on this occasion we have had to raise additional revenue on a considerable scale; and it is a remarkable circumstance that a Budget in which new taxation is the foremost feature has been received with more general approval than perhaps any Budget of my time. I attribute this to two causes—First, we have done our best to distribute the new burdens fairly, and this has been generally recognised. But chiefly, I think, we owe the easy passage of our fiscal proposals to a very general feeling of public spirit which desires to help the Empire at this time of need. In this respect, the Council has faithfully reflected the general body of public opinion outside, and I am grateful to you and to those you represent for thus strengthening our hands. Any measure which fortifies our general financial position is a real service in the prosecution of the war; and though I am happy to say that, in some respects, our position is stronger than might have been expected, I can assure that small minority which still doubts the full necessity of the new taxation that our Budget dispositions take by no means an exaggerated view of the contingencies for which we ought to be prepared.

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[ *The President.* ]

"I do not propose on this occasion, amid the pre-occupations of the war period, to embark on any full review of the financial history of my administration. Our policy before the war was one of development, material and social. Our productive capital expenditure had reached by 1914 a scale previously unattained. For education, sanitation and other special purposes, we had increased the permanent resources of the Provincial Governments by one million a year, and to the extent of £7 million more in non-recurring grants. We had reason to hope for a gradually increasing utilisation of India's available resources through the borrowing policy pursued during Sir William Meyer's incumbency of the Finance Membership. Generally, as I think I may claim, we had succeeded, in matters of banking, currency and the like, in getting into closer working association with the commercial community; and finally, our whole finance and currency system had recently been overhauled, and we had hoped, in some directions, to make a fresh start on more progressive lines.

"These hopes and activities have been disappointed and arrested by the war. India, however, cannot complain if the even tenour of her progress has been checked. Her financial system has well withstood the strain of the last 18 months, and she has not had to suffer the complete upheaval of her trade and the diversion of all her energies to other channels. The measures which we have taken this session will, I hope, secure her financially in the 12 months which lie before us, and she may hope to emerge from the war in a strong position. I think I may congratulate this Council and the country that this strength has been obtained with relatively so small an addition to her fiscal burdens.

"Sir William Meyer has explained the attitude of His Majesty's Government towards the proposal made by the Government of India that, in the new taxation proposed in this Budget, the import duty on cotton should be raised, leaving the excise duty on cotton at its present rate, an assurance being given by His Majesty's Government of the future abolition of the excise duty as soon as the financial situation would permit of such a course. He has also explained that His Majesty's Government feel that the raising of this question at the present time would be unfortunate, since it would provoke the revival of old controversies at a moment when it is specially desired to avoid all contentious questions both in England and in India, and that it might prejudice the ultimate settlement of larger issues raised by the war. I need hardly say that the Government of India have no desire to create controversy here, in England, or anywhere else at the present time, by the discussion of questions affecting Indian interests, but they are glad to have had the opportunity of placing on official record their views that the import duties on cotton fabrics should be raised, and that the excise duty should for the present remain at its actual figure, and an assurance given that it would be abolished as soon as financial considerations will permit.

"But His Majesty's Government, in expressing their desire that a conflict should not be raised at the present time over the cotton duties, have made a definite declaration which has already been quoted by the Finance Member in his speech introducing the Financial Statement, but which I now repeat as I regard it as of very great importance to India. It is as follows:—

'His Majesty's Government feel that the fiscal relationship of all parts of the Empire and the rest of the world must be reconsidered after the war, and they desire to leave the questions raised by the cotton duties to be considered at the same time in connection with the general fiscal policy of the Empire and with the share, military and financial, taken by India in the struggle. His Majesty's Government are aware of the great interest taken in this question in India and of the impossibility of avoiding all allusion to it when new taxation has to be raised, but they are confident that their decision is in the best interests of India, and that premature discussion of this particular issue could only be harmful.'

"Now I wish to be very careful in not reading into this declaration an interpretation that would not be justified, but I think that I am fully justified in saying that it contains an assurance that the fiscal relations of India in the Empire, towards the Empire and towards the rest of the world will be reconsidered after the war in connection with the general fiscal policy of the Empire, and that the best interests of India are

being taken into account in postponing a decision about cotton duties which, after all, form only a small fraction of the fiscal system built up in India. We are all unanimous, I think, as to what the best interests of India in connection with the cotton duties may be, and I regard this declaration that I and my Government have been authorised to make in the name of His Majesty's Government as a far-reaching pronouncement of statesmanship and full of hope and promise, implying as it does the possibility or, I may even say, the probability of a broad reconsideration of the fiscal interests of India from a new 'angle of vision'. It seems to me to mark a new departure, that it places the future position of India much higher than would have been done by the simple acceptance of the proposals of the Government of India, and I think that the Government and people of India may, with this declaration before them, await the future with patience and confidence.

"In closing the discussion on his Resolution of the 20th instant relating to the abolition of Indian indentured emigration, the Hon'ble Pandit Malaviya asked that Government would, as an interim measure, take steps to mitigate certain abuses and hardships in connection with the recruitment of labour in India and its despatch to the Colonies.

"One at any rate of his proposals referred to a matter which was then under consideration, and I thought it best to take a little time for examining it before I replied. I am happy to say I find myself able to meet him on most of the points he brought forward. With reference to his first request, my Government propose to ask Local Governments to examine carefully the conditions under which recruitment for the Colonies is carried out. In the next place, the Government of India will take an early opportunity of arranging for the insertion in the agreement of all necessary particulars regarding the penal provisions of the contract. With reference to the Hon'ble Pandit's third request, I think the best way of meeting it is by our asking the Secretary of State that the attention of the Colonial Governments should be drawn to the religious objections that are felt by many Hindu castes to such forms of employment as those which he mentioned.

"Another six months have passed since I last addressed you in Simla on the subject of the terrible war now devastating Europe, and we seem to be still a long way from its close.

"In the Western theatre of war the British and French Allies steadfastly maintain their position, and are every day growing stronger in numbers, material and supplies. No very serious attack has been made on the British lines that has not been easily defeated, and the French, with their usual bravery, have most gallantly resisted and driven back, with tremendous losses, immense masses of German troops that had been gradually collected by the German Commanders in order to make a supreme effort for a decisive victory before the moment arrives that they anticipate and dread of a general advance on the part of the Allies. This advance will probably not be long deferred and, you may rest assured, that it is being deferred only in order to make it, when the time comes, the more deadly. On the Austro-Italian front the Austrians are being slowly but surely driven back by our gallant Italian Allies. The theatre of war, in which the most decisive results have recently been achieved, has been in the Caucasus and in Northern Persia, where the Russian Generals have gained some remarkable successes, including the fall of the fortress of Erzerum, regarded in Constantinople as impregnable, and the storming of Bitlis, less than 100 miles from the Tigris, together with the capture of immense quantities of prisoners, guns and material, while in North-Western Persia the rebel gendarmerie and the Turks with them have been repeatedly defeated, so that the brave Russian troops have now, it may be hoped, finally destroyed Germany's hopes of making Persia, as she has already made Turkey, the cat's-paw of her insensate ambition.

"There have been unfortunate developments in the Balkans owing to the treacherous intrusion of Bulgaria into the war against Russia, her liberator in the past, and England and France, her supporters and well-wishers in all

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her legitimate aspirations. Servia and Montenegro have, after a glorious struggle against overwhelming forces, temporarily ceased to exist as Kingdoms, but the Allies are confident that the Teuton and Bulgarian forces will be ultimately expelled from the lands they have occupied and ravaged in the Balkans, just as Belgium and Poland will witness at no distant time their deliverance from the cruel yoke that Germany has temporarily imposed upon them. There may be some who question upon what such confidence is based, and to these it may be confidently replied that, while Germany and Austria are slowly but surely bleeding to death and unable to compel by any decisive success the peace which it is known that they now desire, England, France, Russia and Italy are daily growing stronger and by close and active co-operation, both military and economic, are exercising a pressure which will soon become irresistible. As I said before in Council last September, the deciding factor in this struggle will be British sea-power. It is the sea which unites and welds together in a common effort the widely distant territories of the Allies. It is sea-power that is protecting the shores of India and Indian commerce from the ravages of the enemy, and it should not be forgotten that, even if—which God avert—disaster befell the arms of England and her Allies on land, British sea-power would still remain, rendering Great Britain and her possessions invulnerable, and placing England in the position of being able to impose terms upon the Central Powers before a single German or Austrian ship would be allowed to sail the open sea with impunity. Not that there can be any doubt as to the ultimate victory of the Allies upon land, but it is the British Navy that is gradually but surely strangling the enemy with a grip that will never be relaxed until peace has been secured on such terms that the smaller Powers shall regain their full liberty and independence, and that civilisation shall no longer be endangered by the dreams of conquest and the military despotism of a Power which has arrogantly proclaimed Might to be Right. Until absolute and incontestable victory has been achieved, there can be no flinching from our duty, and no peace without being faithless to our ideals of truth and liberty and to our responsibilities to civilisation and the future of the world. The German menace that has weighed so heavily on Europe for the past generation must be reduced to impotence and permanently removed.

“Turning to foreign affairs nearer home it is pleasant to be able to state that in Persia there has been a very distinct improvement in the situation. We are on the most friendly terms with the Persian Government, who have at last realised the danger to which their country was exposed by the machinations of German and Austrian bands and are doing their utmost to suppress them. I need hardly say that, in their efforts to restore order, the Persian Government will continue to have our hearty co-operation and assistance in any way that they may desire.

“Our friend and ally, the Amir of Afghanistan, continues to maintain very friendly relations with the Government of India, and has recently renewed his assurances to observe an attitude of strict neutrality, and we have naturally implicit confidence in his royal word.

“On the frontier perfect tranquillity has for some time prevailed, except for raids by gangs of Mahsuds in the Dera Ismail Khan District. The cup of their misdeeds is already overflowing, and the day of retribution is at hand. As soon as our pre-occupations elsewhere are relieved, and when it suits our convenience, it will be necessary for the Government of India to take drastic steps to put an end for ever to the campaign of murder and plunder that has disgraced the Mahsud tribe during the past few years.

“Except in Bengal where, I am sorry to say, there has been a regrettable number of murders and dacoities, which dim the fair fame of that province, and which every effort should be made not only by the Government, but by the people themselves to suppress, the internal situation of India could hardly be more favourable, and it is a source of profound satisfaction for me on the eve of my departure to be able to say so. We do not feel the shock of battle here as the nations feel it in Europe, but we have had ample evidence

of German designs to create trouble in India which have so far proved abortive, based as they were on the fallacy that India would be disloyal to the Empire. During the past 20 months of war the people of this land have displayed a loyalty and patriotism, deeply appreciated by the Empire at large that have been beyond all praise, and have entirely justified the confidence and trust that I reposed in them. Heads of Governments have told me that never in their experience have the relations between the Government and the people been closer or of greater confidence, and I readily believe it. When I hear pessimistic prophecies or apprehensions as to the future of India, I ask myself who, 20 years ago, would have predicted the magnificent loyalty of the Ruling Princes and the people of India which we have seen since the outbreak of war? None ever doubted the valour of the Indian Army, British and Indian. But who would have said 20 years ago that it would be possible to send out of India to the different theatres of war army after army of brave and experienced soldiers? When it is remembered that the largest expedition that ever left the shores of India before the present war numbered only 18,000 men, and that since the outbreak of war, India has despatched about 300,000 soldiers overseas, and has contributed several millions pounds worth of war material to the Empire, I think we have every reason to be proud of the efforts that India has made, and of the situation on, and inside our, frontiers that have rendered such efforts possible. Many gallant men have, alas! died for their country. Of these, the whole Empire is the tomb.

"As this is the last occasion upon which I shall have the privilege of addressing the Members of my Legislative Council, there are certain subjects of general interest, upon which I would like to say a few words.

"My stay in India is now fast drawing to a close, and as I look back upon the past 5½ years, they seem full of incident, and there is much of which India may well be proud, but I cannot help feeling how much there is also that is still left undone, that I would wish to have seen done, and that I am confident will be done in the not far distant future, to secure that peace, contentment, and progressive development which must be the end in view of every far-sighted British statesman who conscientiously recognises the duty of Great Britain towards this country, who remembers the engagements given to the people of this land by successive Sovereigns, and who realises that it is only by the study of the welfare of the people, and by the reconciliation of the administration with the awakening and legitimate aspirations of the people that the foundations of British rule in India can be broadened and solidified. There can be no finer ambition for my country than that the future historian may be able to describe how a bruised but ancient country of old civilisation and culture, after centuries of invasion and conquest, had been uplifted and gradually strengthened till it could stand upon its feet, and how the child had become a source of strength and gladness to its mother country.

"It is difficult as yet to foresee what the results of the terrible war now in progress will be upon the civilisation of the world, but there can be no doubt that national ideals and common aspirations will be purified by the knowledge of the united effort that has been made to crush a debased system of culture founded on the hypothesis that Might is Right. It is devoutly to be hoped that this sense of unity may prevail long after this war has ceased, and that it may be the prelude to the disappearance of all religious, class and racial discord which, I unhesitatingly say, can be productive only of harm, and which tends to sap all healthy development and impede all real progress. In no country is unity more absolutely necessary than in India, but unfortunately, and I say it regretfully, we are still far from that ideal. It can only be achieved by a real effort on the part of all classes to understand each other better and to inspire one another with mutual sympathy.

"During the past few months I have seen mention made in speeches at meetings in the country and in the press of self-government, Colonial self-government and Home Rule for India. I have often wondered whether those

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speakers and writers fully realise the conditions prevailing in Dominions, such as Canada or Australia which render self-government possible. I wish that some of these could visit the Dominions and see for themselves. A study of the history of these Dominions would show that the development of their present self-governing institutions had been achieved, not by any sudden stroke of statesmanship, but by a process of steady and patient evolution which has gradually united and raised all classes of the community to the level of their enhanced responsibilities. I do not for a moment wish to discountenance self-government for India as a national ideal. It is a perfectly legitimate aspiration, and has the warm sympathy of all moderate men. But in the present position of India it is not idealism that is needed, but practical politics and practical solutions to questions arising out of the social and political conditions in this country. We should look facts squarely in the face and do our utmost to grapple with realities. To lightly raise extravagant hopes and to encourage unrealisable demands can only tend to delay and not to accelerate political progress. I know that this is the sentiment of many wise and thoughtful Indians. In speaking thus frankly it is far from my intention to create a feeling of discouragement, for nobody is more anxious than I am to see the early realisation of the just and legitimate aspirations of India, but I am equally desirous of avoiding all danger of reaction from the birth of institutions which experience might prove to be premature. During the past 5½ years I have steadily kept this aim in view, and, as far as I am able, will do all in my power to help the course of Indian progress in the future.

“ Nothing that has occurred during the past 4½ years has made me change by a hairs-breadth my views as to the soundness of the policy defined in that much disputed third paragraph of the Despatch of the Government of India of August 25th, 1911, the responsibility for which rests especially upon myself in conjunction with my late friend Sir John Jenkins. The meaning of that paragraph has been much discussed, but as it is written in plain English, I see no necessity for explaining it. I only wish to emphasise the fact that it was not contemplated that the policy adumbrated should be fulfilled in its entirety in the immediate future, or within a specified period of time, but that the progress towards the foreshadowed goal should be steady and gradual. Speculation as to the rapidity with which progress is to be made or the precise definition of the goal to be achieved would be profitless, but my strong advice is not to go too fast, and to be sure that you can walk firmly before you try to run. This is very clearly expressed in the text of the paragraph, and I claim that, during the 4½ years that have elapsed since that Despatch was published, the Government of India have been true to the policy indicated, although they have not always been able to give full scope to their wishes. During that period Bengal has become a Presidency with a Governor in Council; Bihar and Orissa form a Province with a Lieutenant-Governor in Council, and with a majority of elected Members in the Legislative Council; Legislative Councils, with non-official majorities in each, have been given to the Central Provinces and Assam; Bihar and Orissa has received a High Court; and I have no doubt whatever that in a very short time the recommendation of the Government of India for the creation of an Executive Council for the United Provinces and a High Court for the Punjab will be accepted. Surely this is a good record for the past 4½ years, and surely the pace has not been slow.

“ A further change in the same direction that I regard as very desirable is greater decentralisation and less interference from the very top to the lowest rung of the administrative ladder, and the recognition that to endeavour to attain a drab uniformity in this country, where such wide variations in habits and thought exist, can only lead to local discontent and ultimate failure. While the Imperial Government retains, and must retain, the power of initiative in policy and control, it should steadily, and on broad lines, delegate more and more power to Local Governments to dispose of matters of merely local or secondary importance. In pursuance of this view, it has been my policy to give as much freedom as possible to Local Governments, and never to

override them except under the most urgent necessity, bearing always in mind that it should be the part of the Government of India to control, and theirs to administer

“ The fact that, at the conclusion of this great war, questions of far-reaching importance to India will arise, provoking discussion and requiring sympathetic decision, is patent to all. Many such questions have had my most earnest consideration, and the Home Government are in possession of my views as to how they should be solved in a generous measure, but this is neither the time nor the place for dwelling upon them. I was glad when I read Sir Satyendra Sinha's speech at the National Congress last December in which he strongly deprecated treating the satisfactory solution of such questions as a concession in return for Indian loyalty. Loyalty has no price, it is priceless, it is not an object of exchange and barter. Whatever changes may in due course be made will be owing to the fact that they are justified by the indomitable bravery of our soldiers, by the patriotic attitude of the people of India during a period of difficulty and stress and by their political progress and moral development during the past few years. I will only say this, that the question of the improvement of the status, position and prospects of the Indian officers and men of the Indian Army is one that should have precedence over all others, for it is they who have borne the danger, heat and burden of the day, and have nobly maintained the honour and fair fame of India in the vanguard of the British and Colonial Armies in Flanders and other theatres of war. I would urge further that special provision should be made by Government for those who have suffered permanent injuries, as well as for the education of the orphans of Indian soldiers who have perished during the war, and that the future prospects of such children should always be a matter of concern to the Government and people of India.

“ As regards the position of India within the Empire, the announcement which I made in this Council last September to the effect that India's demand to be represented in future on Imperial Conferences would be sympathetically considered by His Majesty's Government is, I think, likely to become historic, for it marks the beginning of a new era, and the growth of more liberal ideas in regard to India not previously entertained. At the same time the reception by the Colonial Press of the resolution relating to the representation of India at the next Imperial Conference, proposed in this Council last September by the Hon'ble Mr. Muhammad Shafi and unanimously accepted, was most encouraging, and was a good indication of the change in the angle of vision of our fellow-subjects in the Dominions towards India, and the place that India should hold in the Councils of the Empire. I feel confident that the statesmen of the self-governing Dominions, recognising the splendid services rendered by India to the Empire during the war, will generously seek a modification of the constitution of the Imperial Conference, so as to admit the properly accredited representatives of India to sit side by side with them at the Imperial Council table on terms of equality. I rejoice in this matter to leave India with high opportunity before her to take her place, a just and proud place, in the Empire.

“ You may remember that a year and a half ago, I made suggestions for the consideration of Hon'ble Members for the settlement with Colonial Governments of certain emigration questions which had become acute in connection with the case of the *Komagata Maru*. I have not pressed you for your answer to my suggestions during the course of this war, as I have been anxious to eliminate, as much as possible, all controversial questions from our midst. These questions will, however, inevitably arise when the war is over, and I feel sure that the Dominion Governments, realising more forcefully than ever before that India is a living unit of the Empire, will approach all such questions at issue in a broader and more generous spirit than heretofore. But from what I have, on certain occasions, both heard and read during the past year, I do feel that a word of caution is necessary, and that people in India should remember that however desirable the realisation may be of the proud ideal of equal liberty for all those who can say *Civis britannicus sum*, the Dominions

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have also their own ideals of self-development, and the Dominion Governments are masters in their own houses. In matters such as these which are largely, but not altogether matters of sentiment, they are amenable only to persuasion and not to compulsion. I feel some anxiety lest the people of India may not fully realise the actual standpoint from which the Dominions should be approached, and lest, in striving to grasp the shadow, they should lose the substance. Where interests are held to clash, the principle of reciprocity often affords a basis for a practical solution which would be vainly sought in the assertion of theoretical rights.

“ I wish also to say a few words to-day on the subject of the new Capital. As you all know the building of the new city was ordained by the Royal and Imperial word of our King-Emperor, in the presence of the Princes and representatives of the people of India at the Coronation Durbar of 1911. During the past 3½ years, and in fulfilment of His Majesty's commands, plans have been prepared, ground levelled, roads laid out and much necessary spade work has been done. Had the situation been normal, more could have been done during the past twelve months, but, in consequence of the war, I felt it necessary to curtail expenditure to the lowest possible limit consistent with the avoidance of loss. Nevertheless the walls of the Government buildings are steadily rising, and I have no fear that the time that has been lost will not be easily made good later on. I may mention that the King-Emperor takes the greatest interest in the progress of the new Capital, and has often referred to it in the letters with which His Majesty has honoured me. The lay-out of the new city and the designs for the Government buildings are on a noble scale befitting the importance and dignity of an Imperial Capital of India. For such an enterprise the estimated expenditure is not excessive, and I see no reason why, with intelligent supervision, it should be exceeded. It may take longer to complete than at present reckoned, but what I would urge upon you and the people of India is that no unworthy considerations and petty ideas of parsimony should ever induce you to consent to any curtailment of the future glory and beauty of the new Capital of India, which I am convinced will some day be a source of pride to you and your children's children, and will stand forth in the future as a monument to the progress and national development of India. Sufficient time has now elapsed, and the test of war has sufficed to prove that the move to Delhi has resulted in no loss of efficiency to the Government of India, while the advantages of having the Capital in a central position equally accessible to all, and in a position of detachment from provincial connections, is beginning to be fully realised by all, and by none more than by the Ruling Princes and Chiefs. It is to my mind an integral and essential part of a great national policy of political self-development which must commend itself above all to those who hope some day to see India hold a position of equality amongst the sister nations, of which the British Empire is composed. At the same time it is a source of pleasure to me to know that Calcutta, the premier city in India, has never been more prosperous than it is to-day.

“ It only remains for me now to take leave of my Council, and I do so with a pang of regret at the thought of how little more I can do to help and to serve the people of this land. Still I am full of hope and faith in the future, and it is with a deep sense of confidence that I shall in a few days' time relinquish the helm to my successor Lord Chelmsford, whom I regard as a man of noble ideals and of generous sympathy. India will, I know, trust him as India has trusted me.

“ In arriving at the close of this session, we have arrived also at the end of the extended term of this Council. I remember well the occasion when I first presided over this Council in Calcutta on the 3rd January 1911. I then stated my hope and belief that a frank expression of opinion might assist us to understand each other and to appreciate one another's point of view. There have been many changes in my Council since then, but throughout these years my hope and belief have been more than justified, and I think I can say, from experience gained in different parts of the world, that this Council is second to none

in the dignity of its proceeding and the good feeling that animates its Members. We have been Colleagues in this Council for the past  $3\frac{1}{2}$  years, and some of us for  $5\frac{1}{2}$  years, and surely if anybody has a right to call you his friends it is I, for you have always treated me with invariable friendliness and courtesy, and I think I may say that, during these past years, although we may not always have been in full agreement, I have never known a discordant note in my Council. Further, you and the people of India, whom you represent, have shared with me my joys and my sorrows, and, although the latter have been heavy, I have also had joy which has helped me to bear them. For I have felt that it has been a great joy and at the same time a priceless privilege that I have been able to dispel many illusions and false impressions, and to display not merely to England, but to the whole world the intense and patriotic loyalty not only of British India, but of all the Ruling Princes and Chiefs to the British Crown and the Person of the King-Emperor, and the sacrifices that Indians of all classes and creeds have been ready to make in defence of the Empire and of Right. Whatever the future may bring forth, this will always be a glorious page in the history of India.

“It would be idle for me to pretend that, in taking official leave of you today, I am not deeply affected by the thought that our days of co-operation have now almost closed, but I wish to express to you, Members of my Council and to the people of India whom you represent, my very warm appreciation of the confidence and trust that you have always displayed in me and my administration, and to thank you again for your ever friendly help. I wish also to acknowledge with gratitude the help that I have received from the Members of my Executive Council, the Heads of Governments, Secretaries, and the officials, who have done so much in India in the past of which they may be justly proud, and who are now shaping themselves to meet the changed circumstances of advancing representative institutions. I am the second of my family to hold the highest office under the Crown, and I leave India with an inherited love increased manifold by personal experience of the sterling qualities, the kindness and the sympathy of the people of India. I can honestly say that I have given up my best for India, and that she will never be absent from my heart and my thoughts. I shall continually pray that the peoples of India may be blessed in all those things that make life brighter and better worth living.

“In wishing this Council steady progress and development on safe and sound lines, I now declare this session closed and bid you all farewell.”

The Council adjourned *sine die*.

A. P. MUDDIMAN,

*Secretary to the Government of India,*

*Legislative Department.*

DELHI ;

*The 26th March, 1916.*

**APPENDIX A.***(Referred to in Answer to Question No. 7)**Statement showing the number of pilgrims who went to, and returned from, the Hedjaz during the years 1914 and 1915.*

Year.	(a) Total number of pilgrims to the Hedjaz	(b) Number of returned pilgrims.	(c) Number of return tickets purchased.	(d) Number of tickets and amount of price refunded.
1914 . . .	13,214	* 13,834	...	...
1915 . . .	2,432	* 4,688 (including 1,000 Javanese).	1,763	1,716 tickets were used : £135 was refunded on 3 tickets of deceased pilgrims . and 44 unaccounted for.

\* Excess of pilgrims returned in 1914 is due to closing of land routes owing to war, and in 1915 due to scarcity of food and return to India of persons domiciled in the Hedjaz.

## APPENDIX B.

(Referred to in Answer to Question No. 9.)

CIRCULAR No. 15-R.

*Extract from the Proceedings of the Government of India, Revenue and Agricultural Department,—under date Simla, the 3rd May 1882.*

### REVENUE.

#### READ—

Circular to Local Governments and Administrations, No. 1—61 to 70, dated the 27th January 1881, with enclosure, regarding the instalments for the collection of the land-revenue.

Letter from the Government of Madras, No. 914, dated the 11th June 1881, with enclosure.

Letter from the Government of Bombay, No. 1111, dated the 23rd February 1881, with enclosure.

Letter from the Government of Bengal, No. 175-T., dated the 10th May 1881, with enclosures.

Letter from the Government of the North-Western Provinces and Oudh, No. 425, dated the 26th March 1881.

Letter from the Chief Commissioner of the Central Provinces, No. 2175—21, dated the 14th June 1881, with enclosure.

Letter from the Chief Commissioner of British Burma, No. 6114—25-L., dated the 3rd September 1881, with enclosures.

Letter from the Chief Commissioner of Coorg, No. 216—11, dated the 27th May 1881, with enclosure.

### RESOLUTION.

In a recent Resolution No. 6—340 to 350, dated the 8th December 1881, regarding the institution of Agricultural Departments in India, the meaning and scope of the principle, that agricultural operations should be maintained at the highest standard of efficiency possible under existing conditions, have been fully explained. With the view of illustrating and urging the practical application of this principle in one particular branch of revenue business, the Governor General in Council now desires to draw the early attention of Local Governments to the system under which instalments of land-revenue payable by landholders to Government are distributed over the year

2. In considering this subject, no attempt need be made to deal with the wider and more vexed questions connected with the method of assessment and collection of land-revenue. Different proposals have been made from time to time with the view of relieving the strain on the agricultural community caused by vicissitudes of season or otherwise due to fluctuations in yield. Some authorities would, completely or partially, revert to the system of collecting a portion of the produce realised at each harvest; others have advocated divers methods of assessment, involving the variation of payments with the character of the season. It is not at present proposed to enter upon any review, or invite any discussion of these important and difficult questions. Reference has been made to them merely for the purpose of stating the conclusion that through all these various projects of reform, suggested or supported in many instances by high and weighty authority, there runs one leading idea, *viz.*, that of aiming at a normal proportion between the amount of revenue collected and the amount of produce gathered at harvest.

3. It appears, therefore, to the Government of India that, whenever it is possible, without any serious alteration of existing administrative arrangements and without any material addition to the difficulties of the revenue staff in the

collection of land-revenue, to make any approach towards maintaining a proportion between the harvest outturn and the cash demand, the opportunity should be taken to establish a closer connection between current liabilities and current assets.

4. An easy step in this direction is to distribute the annual assessment under such arrangements as are most convenient to the revenue and rent-payers of the country, with reference to the character and value of the crops which are cultivated in varying tracts of every district. It is unnecessary to dwell on the well-known circumstance, that the amount and dates of payment arranged for instalments of rent are usually determined by the amount and dates fixed for the payment of revenue. The arrangement of revenue instalments most convenient to a large proportion of the tenantry is therefore that which, by requiring payment when they have most cash in hand, allows them the amplest facilities for escape from the money-lender, and the readiest means of avoiding the payment of heavy interest. Any measures which diminish the pressure upon the tenantry to resort to loans at heavy interest will tend to increase the capital at their disposal for investment in agricultural operations, and thus to maintain a better standard of efficiency in agriculture.

5. This principle has been well expressed in the rules for the collection of land-revenue published by the Board of Revenue in the North-Western Provinces in connection with the Revenue and Rent Acts promulgated for that Province in 1873. The Governor General in Council entirely concurs in the general tenor of these rules, which will be found *in extenso* in Annexure I attached to this Resolution.

Principles similar to those implied in the North-Western Provinces rules have since been enunciated by the Famine Commissioners, who have expressed their opinion in the subjoined passage:—

*Report of the Indian Famine Commission, Part II, Chapter III, section 3, paragraph 2.*—With regard to the number of the instalments, the amounts payable on each occasion, and the dates when they fall due, it is generally admitted that they should correspond to the number of the main crops raised in each year to the average dates when those crops come to maturity, and to the relative weight and value of the harvests. But though these principles are generally admitted to be correct, we learn from the evidence we have received that there are parts of some Provinces, notably of Bengal and Berar, in which they are not fully carried out, and we think the attention of the Local Governments should be drawn to the subject. Where one crop is mostly reserved for food and another mostly sold, if the circumstances of the people require it, larger instalments should be made payable upon the crop which is raised for the market and smaller instalments upon that which is raised for food. The dates of payment also should be so fixed as to allow of the produce of the soil being harvested and sold before the instalment is collected, so as to avoid the losses which the landowner would suffer if he were compelled to raise money on an unripe crop or to sell it hastily in an overstocked market. Where the relation of landlord and tenant exists, this principle should be applied so that the dates of payment of the instalments of the land-revenue, on which the dates of the payment of rents must to a great extent depend, should fall a sufficient time after the period of harvest to enable the tenant to realise on his crop before his rent becomes due, and to enable the landlord to collect his rents before the revenue becomes due.

The attention of Local Governments and Administrations was lately invited to these remarks, and their replies are summarised in Annexure II attached to this Resolution.

6. The Governor General in Council, after carefully examining the information afforded, both by the replies summarised in the Annexure and by the reports of revenue administration which have been received from different Provinces, desires to record his satisfaction that the principles expressed in paragraphs 3 and 4 of this Resolution have been generally taken into consideration throughout India. At the same time, he agrees with the Famine Commission that the subject demands further investigation; and, without adverting specially to any one Province, finds reason to doubt whether these principles are in all parts of all Provinces, carried out to the fullest extent.

7. It is true that in dealing with large tracts of country general attention appears to have been paid to the character of the crops and harvests which are peculiar to each, and that instalments of revenue have been arranged in accordance with the conclusions drawn from the general data thus afforded. But it is not equally clear that sufficient attention has everywhere been paid

to the fact that agricultural circumstances may be subject to extraordinary variation within each tract. To illustrate the meaning of these remarks, it may be mentioned that attention has lately been drawn to the case of three adjacent villages, in one of which the cash of the agricultural community is principally obtained from rice at the end of the rainy season ; in the second, from a sugar harvest in January ; and in the third, from cereals in spring. Yet for all three villages the same dates were fixed for the payment of rent and revenue. There is reason to believe that, especially in the north of India, similar cases of variation, though generally unnoticed, are of constant occurrence, and are in a great measure due to the capricious distribution of surface drainage, which, more than anything else, destroys the homogeneity of agricultural land. But, in the opinion of the Government of India, the interests of the tenantry in each of the villages of the above illustration require at the hands of the revenue administration equal consideration. It is unlikely that the same distribution of rental demand would be equally convenient to each of the three cultivating communities ; and so long as such cases can occur, there can be no sufficient assurance that the seasons of demand have been properly adjusted to the needs of agriculture and the reasonable convenience of the people. In short, it should be ascertained, not only that the circumstances of each tract, but that the circumstances of each village, have been properly considered.

8. There is, however, another consideration involved in the financial aspect of the question which should not be overlooked. As is remarked, with much truth, by the Judicial Commissioner of the Central Provinces, the money market can be sensibly eased by varying the dates of instalments. Where the collection of rent and revenue is, in any large section of a Province, made on one or two uniform dates, it must, at those periods, necessarily stimulate, amongst the agricultural community, a large and unavoidable demand for cash. Prices will therefore tend to fall in consequence of the withdrawal of silver ; the rate of interest will rise ; grain has to be thrown into a slackened market, and loans must be negotiated on usurious terms. It is thus obvious that by adjusting the demands of the State to the different circumstances of villages or tracts, and by introducing into the distribution of payments on account of revenue and rent as great a variety as is consistent with agricultural welfare, the money-market may be relieved, in an appreciable degree, of the pressure which is now of periodical occurrence.

9. In recording the above observations, the intention has been to indicate the general character of the conclusions of the Government of India, not to lay down any hard-and-fast definition of the principles to be adopted in each Province, or to require that any theoretical rule, however logical in appearance, shall be universally adopted. Thus, in many parts of Bengal, the lightness of permanently-settled demand and the system of the sale law combine to give the question more importance in connection with the payment of rents than of land-revenue. The primary object, therefore, would in that Province be to make sufficient allowance for local variety of circumstance in fixing the instalments of rent rather than to consider the question in its relation to the payment of revenue. It may indeed be found elsewhere that landlords and even the tenantry themselves, where they are tolerably solvent, prefer some methodical system of fixed instalments devised without special advertence to the harvest yield ; and although in dealing with proprietors and superior tenants it must not be forgotten that their opinion may be prejudiced by the fact that a system inconvenient to the cultivator is profitable to themselves in their capacity as money-lenders, yet full consideration should be paid to the wishes or arguments of the agricultural community in each case.

10. There can be little doubt that in temporarily-settled Provinces the arrangements best suited to the circumstances of individual villages can be studied to most advantage during the currency of settlement operations ; and it is desirable to ascertain how far the importance of this question has been recognised. In some cases suitable arrangements appear to have been made village by village, in others district by district, or tract by tract—sometimes with, but oftener without, a regard to the interior variations of each locality ; while in many settlement reports the subject of rent and revenue instalments is

not noticed at all. In numerous cases it appears to have been left for the district officials in charge of current administrative duties to deal with the question, and it has, from press of business and other causes, been perfunctorily disposed of by the adoption of uniform arrangements for large tracts of country, which are nevertheless known to exhibit great diversity of agricultural conditions.

11. Under these circumstances, the Government of India considers it necessary to require that an investigation may, as opportunity occurs, be set on foot in each district, which may, as time proceeds, provide a guarantee that the requirements of every village in every district have received full consideration. In dealing with this subject, the Governor General in Council takes the opportunity to declare that he has fully accepted the views of the Famine Commission as to the necessity for adopting in every Province some system (such as exists in the Bombay Presidency) under which revenue officials shall maintain a continuous acquaintance with the circumstances and conditions of every village in their charge; and he hopes that a suitable arrangement of revenue and rent instalments may prove one of the earliest fruits of that study of local circumstances which the Famine Commissioners have urged.

12 It is accordingly desired that, in the annual reports of revenue administration received from each Province, special notice may each year be taken of the measures adopted and of the progress made in the direction of effecting a suitable distribution of revenue instalments in each district in accordance with the principles indicated in this Resolution; and also that the subject shall receive the fullest consideration by all settlement officials, in whose reports the arrangements which have been made should be clearly exhibited.

Madras.  
Bombay.  
Bengal.  
N. W. P. & Oudh,  
Punjab.

<p>Central Provinces. British Burma. Assam. Coorg. Ajmer. Hyderabad.</p>
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ORDER.—Ordered, that the above Resolution be forwarded to the Local Governments and Administrations noted in the margin for information and guidance.

(True Extract.)

E. C. BUCK,

*Secretary to the Government of India.*

## ANNEXURE I.

*Rules for fixing instalments of Rent and Revenue, North-Western Provinces.*

The instructions which guide the Settlement Officer in determining instalments of revenue and rent in the North-Western Provinces are these :—

(1) *Revenue*.—The provisions on the subject of *revenue* collection are as follows :—

Where the Settlement Officer has not fixed the number and amount of the instalments of revenue and the dates when they fall due, they shall be fixed by the Collector of the district.

The number of instalments of revenue shall be the same as the number of instalments of rent in each mahal, being ordinarily three, *viz.*, two for the kharif and one for the rabi. But where a special instalment of rent is taken, as for sugarcane, a special instalment of revenue shall also be fixed.

The amount of each instalment of revenue shall bear the same proportion to the whole revenue that the instalment of rent paid by the tenants at each period bears to the total rent paid by them.

The dates of the instalments of revenue shall be so fixed as to fall 21 days later than the dates fixed for the payment of instalments of rent by occupancy cultivators.

(2) *Rent*.—The instalments of rent shall ordinarily be three in number—two for the autumn (kharif) and one for the spring (rabi) crops. But where any exceptionally valuable crop is grown, as sugarcane, a special instalment may be fixed to be paid out of that crop.

In determining the amounts of the instalments of rent, the following circumstances should be taken into consideration :—

- (1) The average amount and value of the produce at each harvest, according to the ordinary rotation of crops practised by the tenant.
- (2) The average amount and value of the produce which the tenant retains for his own consumption at each period.
- (3) The average amount and value of the produce of which he disposes in the market at each period.
- (4) The average expenditure in cash or grain which he is obliged to incur at or about each period.

And the amount of the instalment shall be proportioned to the sum which the tenant can conveniently pay, that is, to the difference between (3) and (4).

If the circumstances of any holding are so exceptional that the proportion of produce in it at different times of the year varies appreciably from the proportion in ordinary holdings, allowance may be made accordingly, *e.g.*, in the case of alluvial lands in which kharif or autumn crops cannot be grown, the whole of the rental may be taken at the rabi or spring harvest, and in the case of light sandy soil, in which only kharif crops can be grown, the whole rent of the field may be taken in the kharif.

The dates at which the instalments shall be fixed to fall due shall be regulated by the time of harvesting ; (1) the early kharif crops (makka, bajra, early rice, and pulses) ; (2) the late kharif crops (juar and cotton) ; (3) the sugarcane (if any) ; (4) the rabi crop.

The dates shall differ for tenants with occupancy rights and for tenants without occupancy rights.

For the former, the date on which the instalment falls due shall be 15 days after the average time of harvesting the crop out of which it is paid.

For the latter, the date on which the instalment falls due shall be the time when the crop of the year is actually ripe and ready for harvesting.

Provided that in the case of crops of the nature described in section 64 (d), Act XVIII of 1873, the date shall be for tenants-at-will 28 days before the time when such crops are fit for reaping or gathering.

## ANNEXURE II.

*Summary of replies received from Local Governments and Administrations by the Government of India on the subject of instalments of revenue.*

(a) The Government of Bombay states that in that Presidency the instalments in force are those prescribed in revised rules promulgated in 1878 under the Survey and Settlement Act. The chief rules are these :—

“ (46) The revenue of the year will be leviable at any time on or after the 1st of August ; but under ordinary circumstances it will be allowed to be paid in two instalments. Government, will however, be prepared, on the recommendation of Collectors, to sanction the payment being made in three instalments where such a change may be considered advisable as a measure of relief.

“ In Sind the revenue is ordinarily to be paid in three instalments, as follows, *viz.* :—

*Kharif or early crop villages.*

1st January—15th February—1st April.

*Rabi or late crop villages.*

15th May—15th June—15th July.

“ (47) The dates on which the instalments, in the absence of special orders, are for the future to be paid are as follows :—

*Class 1.*—Kharif or early crop villages in Ghat districts and others in which special early provision may be necessary—

10th December—10th January.

In villages in Guzerat and others not requiring special early provision—

10th January—10th March.

*Class 2.*—Rabi or late crop villages—

10th February—10th April.

“ (48) In Ratnagiri and Kanara the existing date for payment of instalments are to be retained until further orders. In Tanna and Kolaba (excepting the khoti villages) the revenue is to be collected in two equal instalments on 1st January and 16th February

“ (49) Subject to the exceptions mentioned in Rule 48, the Collector shall, with the sanction of the Commissioner, classify the villages in the several talukas under one or other of the three heads under Rule 47 in respect to the dates of instalment.

“ (50) In districts or parts of districts where the above dates may be found to be unsuitable, the Collectors may, with the sanction of the Commissioners, fix such other dates as they may deem expedient according to the circumstances of the villages comprised in them and the character of the crops generally sown.

“ (51) Whenever it is found necessary to fix different dates from those laid down, the Collectors shall invariably forward to Government, through the Commissioners, not later than the 1st of July, lists showing the dates so fixed and the districts for which they have been fixed. These lists shall be published in the *Bombay Government Gazette*.

“ In Sind the said lists shall be forwarded to the Commissioner, and published in the *Sind Official Gazette*.”

The Government of Bombay especially notices Rule 50, authorising Collectors of districts to vary the general rates fixed in the above rules whenever they are found to be unsuitable. Collectors of districts may also, with the previous sanction of the Government, postpone the collection of revenue in seasons in which the crops are late in unusually arriving at maturity. The revenue of the Presidency is said to be collected in ordinary seasons without any difficulty.

(b) The Government of Madras reports that the dates of instalments were revised in 1876, and that the principles enunciated by the Famine Commission were kept in view. In the instructions then given to Collectors by the Board of Revenue it was said—

“ The object of the kistbandi is not to secure the payment of assessment before the crop is removed, nor is it intended to secure that no portion of the assessment shall be collected until the land is actually cultivated and some crop raised thereon. Instalments are only intended to render payment of assessment on the lands under occupation easy to the ryots, and this object can be attained by spreading the instalments over a number of months, the heavy instalments coming after the harvest of the chief crops.”

These instructions related only to land held under ryotwari tenures. In regard to the permanently-settled zamindari estates of the Presidency, the dates of the revenue instalments are fixed in the *sanads*, and to these the Government must conform in its collections.

(c) In the Lower Provinces of Bengal revised dates for instalments of revenue were fixed in 1875 after full inquiry and consideration. For the purposes of revenue payments the districts of Bengal may be divided into three groups—(1) the Bengali and Amli era districts ; (2) the Fasli era districts ; (3) the districts of Orissa. The first comprised Bengal Proper

including Chota Nagpur. Here the chief crop in the year is the amun rice crop, which comes into the market in January : this month is therefore a convenient and appropriate time for demanding a large portion of the Government revenue from the zamindar. March is also said to be a favourable month, and after March, September. The Fasli era districts comprise the Province of Behar. Here the cold weather crops are later in maturing and in coming into the market than in Bengal Proper. The heaviest instalment is thus made payable in March, and the next heaviest in June. In Orissa, the revenue is realisable in two nearly equal portions, the latest day for one instalment being the 28th April, and for the other the 8th November. The chief rent-paying crop is rice, which is not generally cut until late in February or in March, and the latest dates of payment at present fixed are said to be the best suited to the seasons and harvests. In reporting these facts, the Lieutenant-Governor of Bengal expresses an opinion that no alteration in the practice of the province is required. In some districts or in some years more convenient dates, he thinks, might possibly be found. But "there is no reason to believe that any serious grievance of the kind indicated by the Famine Commission exists, and it is important to have practical uniformity in working the revenue sale law of Bengal."

(d) In British Burma the principal crop is rice, which is harvested from December to February. The revenue on all lands is collected early in March, by which time the cultivators are able to dispose of a good portion of their surplus grain in the market. As regards rice-lands, the mode of collecting the land-revenue fulfils generally the conditions laid down by the Famine Commission. A limited area, however, is under miscellaneous spring crops locally known as *kain*, for which the present date for collecting the land-revenue is too early. The Chief Commissioner has accordingly directed that in the case of *kain* cultivation the demand shall be postponed for a month. As the State in Burma deals directly with the cultivator of the soil, the question of the under-ryots' interest in the dates fixed for revenue payments has not yet acquired any importance.

(e) The Government of the North Western Provinces and Oudh reports that, in the former territory, the dates of payment of land-revenue have been fixed with reference to the dates on which rents are payable by the tenants. Such dates have in most cases been fixed for each tahsil, either by the Settlement Officer at the time of settlement, or, in the absence of any special order, by agreement. In the rare cases in which rent instalments are not already fixed in one of these two ways, they are held to fall due at certain specified periods before the dates of the revenue instalments. Throughout the United Provinces the revenue instalments have been so fixed as to fall due a short period after the dates on which the rents are payable, thus allowing landholders time to realise them before revenue is demanded. The working of the rules is said to be carefully watched, and changes are made from time to time as may be necessary. The Government has recently drawn the attention of the Board to the large amount of revenue paid by landholders in advance, and has asked whether this does not indicate that in some districts the dates fixed for the instalments are needlessly late. The fact seems to show that the rents have been realised from the tenants earlier than was thought possible when the revenue instalments were determined. As regards Oudh, it is explained that, as the mass of the cultivators are tenants-at-will, the revenue instalments must be fixed with reference to the time at which the landlord collects his rents, rather than to any period at which he ought in theory to collect them :—

"As the law stands, the landlord can demand his rent from a tenant-at-will whenever he pleases. As this class of tenants have no security to offer except the crop, the landlord will naturally require at least a part of the rent to be paid before he allows the crop to be removed ; and this being the case, there is no hardship in requiring the landlord to pay part of his revenue with the rents as realised. To fix the dates for the revenue instalments later will not lead to the landlord postponing his demand for a part of his rent until the crop is out of his power ; and to attempt to restrain the landlord from demanding rent until the crop, which is his security for that rent, has been removed, would be a measure of very doubtful expediency."

(f) The Chief Commissioner of the Central Provinces states that throughout the Province there are two instalments ; and that while no suggestion is made that the number of instalments should be increased, the Commissioners of Nagpur, the Nerbudda division and Chhattisgarh have proposed some alterations in the dates, which have been accepted by him. He refers to the opinion of the Judicial Commissioner, Mr. Crosthwaite, that the dates of payment should be varied as much as possible in order to ease the money market. This should be done not by multiplying the kists, but by varying the dates for Provinces, and even districts. The Chief Commissioner has further reminded all district officers that the rent of tenants is due, according to custom, one month in advance of the dates fixed for the payment of revenue, and that it should be ascertained that landlords do not collect their rents before they actually are demandable.

(g) The Chief Commissioner of Coorg reports that the principle enunciated by the Famine Commission is already fully recognised in the collection of the land-revenue of Coorg. On rice-lands five monthly instalments between January and May are fixed, the crop being reaped in December and fully harvested by the middle of March. Similar dates are fixed for revenue payments on coffee-lands, as the crop comes into the market between December and February. In the case of cardamom jungles the revenue is collected in January, as picking commences in October and is over by the end of November.

**APPENDIX C.**

*(Referred to in Answer to Question No. 10.)*

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**Statements showing the proposals of Local Governments and Administrations for the expansion of elementary education during the three years 1913=14, 1914=15 and 1915=16 referred to in the Hon'ble Sir Harcourt Butler's reply in connection with the Hon'ble Mr. Gokhale's Resolution in the Imperial Legislative Council Meeting held on the 25th February 1913.**

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*Abstract of the measures proposed for adoption in each province for the improvement of elementary education.*

Provinces.	Buildings.	Improvement of existing schools.	Expansion of education.	Extension of the principle of free education.	Training.	Direction and Inspection.	Vernacular Middle Schools.
Madras	Buildings proposed for 2,500 existing and 1,250 new schools at Rs2,000 per school. Equipment for 4,500 new schools at Rs100 per school. School gardens, 1 lakh. Total 80½ lakhs.	1,500 venture schools to be converted annually into board schools costing Rs37½ each. Minimum pay of trained and improved teachers has been raised to Rs10 and will be raised to Rs12 and that of other teachers to Rs10.	1,500 new board schools will be opened annually, making a total of 4,500. These will be in addition to 2,680 new board schools opened between 1911 and 1914.	A large number of castes and classes have been recognised as backward and permitted exemption from fees. It is proposed to extend the concession to poorer classes of the community by compensating schools for the loss of their fee income.	1,000 additional teachers to be trained annually in a two years' course by temporary arrangements.	To be added :— 12 I. E. S. inspectors. 43 sub-assistant inspectors. 20 supervising headmistresses. 73 supervisors.	300 lower elementary schools to be raised annually to the higher elementary (vernacular middle) stage, at a cost of an additional Rs3,000 a year each. The existing 181 higher elementary schools to be improved at a cost of Rs2,000 a year each.
Bombay	Buildings required number 2,811, including 186 for new schools. The cost varies very much, the average being Rs2,943. Total 68 lakhs.	The average cost of the 6,604 board schools to be raised from Rs229 to Rs47 a year.	500 new schools to be opened annually at an average cost of Rs32½ a year each. Between 1911 and 1914, 1,199 new schools have been opened.	Fees to be remitted in board schools to the extent of Rs10,600 and free books, slates, etc., given to the extent of Rs5,000 a year	The average number of teachers annually trained to be increased from 681 to 681.	To be added :— 1 deputy director. 1 divisional inspector. 1 inspector of drawing and 1 of science. 2 inspectresses. 5 deputy inspectors. 35 assistant deputy inspectors.	The higher primary standards, which correspond to the vernacular middle schools elsewhere, are provided for in the preceding columns.
Bengal	3,129 buildings will be constructed for existing vernacular schools of which 159 are for middle vernacular schools at a cost of Rs1,500 each, and 2,970 for aided lower primary schools at a cost of Rs250 each of which Rs50 is to be contributed by local people. Total Rs8,22,500. 2,477 buildings will be constructed for new lower primary schools of which 2,276 are required for Board lower primary schools and 201 in backward localities. Cost of constructing a school varies from Rs800 to Rs1,000. Total Rs20,90,000.	Existing middle vernacular schools to be equipped at Rs40 each, upper primary schools at Rs20 each, and lower primary schools at Rs10 each. Total Rs3,00,000. Provision of school gardens, etc., Rs3,00,000. Pay of all untrained teachers to be raised to Rs9 each and of all trained teachers to Rs12 each, including income from fees and from other sources.	2,276 schools to be established in each panchayat union and 201 in backward localities at a recurring cost of Rs120 a year per school	The stipend of existing primary school teachers will be raised with a view to gradual and ultimate abolition of fees in primary schools, and schools will be established in backward localities where boys will either be charged very small fees or no fees at all.	Construction of <i>gurur</i> -training schools of improved type sanctioned for Eastern Bengal is being pushed on. It will be possible to start about 80 schools during the triennium. Each school will turn out 40 trained <i>gurur</i> s a year.	To be added :— 6 I. E. S. and P. E. S. officers. 171 Subordinate officers.	It is proposed to improve the staff of 159 middle vernacular schools during the triennium. The proposed cost per school is Rs40 a year against Rs470 a year at present.

United Provinces	2,400 schools require new or extended buildings and 1,500 new schools are to be erected. The cost for new buildings is Rs600 for lower, Rs2,500 for upper primary, and Rs10,000 for middle vernacular schools.	Head teachers in upper primary schools to get Rs14—Rs20; all others Rs10—Rs14 if trained; Rs8—9 if untrained.	530 new schools to be opened annually. Reorganisation and re-staffing of existing schools, rather than opening of new schools, will permit expansion in near future; 500 schools were opened in 1912.	Recommendations of the Committee will be considered.	3 new normal schools to be opened; 100 new training classes already opened; and yet another 100 to be opened, bringing the total up to 809; and each class will hold 8 instead of 6 teachers.	To be added:— 1 registrar of examinations. 5 I. W. S. inspectors. 88 sub-deputy inspectors.	36 new middle schools to be opened and pay to be raised.
Punjab	400 buildings for existing schools and 1,000 for new schools to be erected, at an average cost of Rs1,200 each.	The average rate of pay in board schools is now Rs15. Grading is being improved so as to give prospect of rising by promotion to Rs30.	500 new schools to be opened annually at an average annual cost of Rs250 per school. In 1912-13, 342 new schools were opened.	Exclusive of exemptions already allowed, 25 per cent. of pupils have recently been permitted to read free on the score of poverty. Probably 75 per cent. of pupils can now read free, and the rest pay nominal fees.	3 new normal schools to be opened, each for about 80 students. Grants are being made for a large number of training classes	To be added:— 1 assistant director. 5 inspectors. 34 assistant district inspectors (of whom 12 have already been appointed).	50 new schools to be opened at an average cost of Rs2,000 a year per school.
Burma	29 buildings to be erected for existing and 38 for new schools. Money to be given for aided schools as well.	The average pay of a trained teacher is Rs38-5 a month; but that of all primary teachers (including trained teachers) is only Rs8 a month. It is desired to see it raised to Rs15 by means of salary grants to untrained teachers in aided schools. But the cost would be so great that this scheme is not included in the table, which shows an increase in the average cost of a school from Rs146 to Rs193.	10 Government vernacular schools to be opened during the three years, at an average cost of Rs193 a year each. In addition about 900 additional and aided vernacular schools, chiefly under monastic or lay management, will be brought under the control of the Education Department at the rate of about 300 a year, and at the average cost mentioned above.	No measures considered necessary, on account of large numbers of aided schools and of free schools	A number of elementary training classes to be established in connection with Government and district cess schools. Requirement of trained teachers is 528, against 160 now annually turned out.	To be added:— 1 P. E. S. assistant inspector. 5 deputy inspectors. 75 sub-inspectors. Additions may also be required to the superior staff.	In addition to 804 high and middle vernacular schools now existing, costing Rs519 each, an annual increase of some 52 schools, at a cost of Rs66 each, is anticipated.
Bihar and Orissa	200 buildings to be erected during the next two years for board schools in addition to 90 already erected, at an average cost of Rs1,000 each. Also, about 1,600 buildings for existing aided schools and 1,600 for new schools at an average cost of Rs400 each.	The pay of trained <i>gurus</i> to be raised to Rs12 and of untrained to Rs8. Training will take twenty years, and this reform will cost Rs25,93,000, or Rs1,30,000 in each of the next nineteen years. But, with a view to improving the pay of untrained teachers by immediate increments, Rs10,49,500 is included for the next two years, the cost in future years being proportionately reduced.	The number of schools required is 13,500; these, at the end of the twenty years' programme, should be provided by 2,000 board schools costing Rs30 each and be rest by aided schools costing Rs160 each. But for the next three years, owing to teachers being untrained, the cost of the latter may be taken at Rs65. It is proposed in each of the next three years to open 100 new schools at Rs300 each, and 75 costing Rs35 each.	Compulsory levy of fees has been abolished, and each teacher must now permit 10 per cent. of his pupils to read free. As shipends rise, it is expected that fees will fall.	There are 116 <i>guru</i> -training schools each admitting 8 pupils every year. Numbers in each to be increased from 18 to 20 and the course reduced to one year. This will permit of 2,320 teachers being trained annually at a cost of Rs150 each a year; and the whole staff of primary teachers will have been trained in twenty years.	The proposals are to add an assistant director, to raise all deputy inspectors to the P. E. S. and to replace assistant sub-inspectors and inspecting Pandits by a small staff of sub-inspectors, so that each officer will eventually have 100 schools to supervise.	There are 132 middle vernacular schools. It is proposed to erect new buildings for 60 of these, to increase the number of schools by 10 per cent., annually, and to raise the cost of existing schools from Rs45 to Rs1,200 if maintained by Local Bodies and Rs40 if aided.

*Abstract of the measures proposed for adoption in each province for the improvement of elementary education—concluded.*

Province.	Buildings.	Improvement of existing schools.	Expansion of education.	Extension of the principle of free education.	Training.	Direction and Inspection.	Vernacular Middle Schools.
Central Provinces.	800 buildings to be erected for existing and 200 for new schools, at a rate of Rs1,300 per school.	The average pay is now Rs12. It is proposed to make the average pay Rs20 for trained and Rs10 for untrained teachers. All trained teachers forthwith to receive at least Rs11; all teachers on Rs11 or over to be made pensionable forthwith.	300 is the highest number of schools which can be opened annually. A survey is being carried out.	No boy is refused education on the score of poverty. Fees are utilised by school committees. No further steps are necessary.	A second normal school to be opened in each circle.	7. superior and as many subordinate officers as may be required to provide approximately one deputy inspector for each 70 new schools.	Question under consideration.
Assam.	400 semi-permanent buildings to be erected for large existing schools at an average cost of Rs200.	Minimum pay of assistant teachers raised to Rs8, of head teachers of lower primary schools to Rs8 plus gratification, bringing up average to between Rs10 and Rs11.	1,280 new schools to be opened within the three years at a recurring cost of Rs100 to be met with.	Education has been made free up to the end of the middle vernacular stage.	10 new training institutions to be established. This will give an outturn of 300 trained teachers annually; 4 of these schools to be established during the three years' period.	It is proposed to increase the pay of existing officers, to create a new class of appointments (10 in all) for district deputy inspectors and further to increase the staff by the appointment of 10 additional sub-inspectors.	Wide extension contemplated, obstacles in way of development of primary schools being done away with and all large village schools encouraged to advance to middle vernacular standard.
	1,280 non-permanent buildings to be erected for new schools by means of local aid, savings on recurring grants and a small initial grant of Rs20.	New scale of Rs20, Rs12 and Rs10 for three teachers introduced into all upper primary schools and into 50 existing lower primary schools which are aiming at development to middle vernacular standard; new scale to be extended to a fresh installment of 50 such schools annually.	Expansion to proceed concurrently by extension of existing schools and introduction of measures which aim at large increase of enrolment by keeping children longer in school.				
	Existing buildings to be extended at the rate of 100 a year and at a cost of Rs100 each to provide accommodation for increased staff and enrolment.	Number of teachers to be increased by 100 a year so as to provide one teacher for every 30 to 35 children in average attendance.					

if teachers in any schools to .0 to R12 per of the scale Local Fund raising of the R8 to R12; s to be enter-ool buildings ve congestion. and appliances und stipends to r Panchama	14 elementary schools have already been started and 10 more will be established during the triennium.	The Local Fund schools in Kumbharogadige, Garvale and Suriabi are free institutions. It is pro-posed to make the schools in the villages of Pulicote, Santali, Haraga and Galibidu free.	The Mercara Training School with its present staff and stipends is ex-pected to be able to cope with the work of train-ing all the required teachers within the course of the next five or six years.	No additional inspecting staff is required.	7 selected primary schools will be raised to the higher elementary grade.
ained teachers of untrained in elementary has been form-y of a number ised to enable d with trained	100 new schools to be opened in each of the two years 1914-15 and 1915-16 at a cost of R250 a year each. In 1912-13, 100 new schools were opened; in 1913-14, 105 new schools were opened. This forms part of a scheme for opening 445 new schools between 1912 and 1917.	Primary education has been made free in Govern-ment and board schools. The example has been followed, with few ex-ceptions, by schools under private manage-ment. Contributions are made to cover loss of fees.	The number of stipends at the normal schools has been raised from 60 to 80, and will be raised to 100 and 120. This will allow 114 teachers to be turned out annually and all existing and pro-posed schools will be staffed by trained tea-chers in seven years.	No additional inspecting staff is required.	4 new schools to be opened in each of the two years 1914-15 and 1915-16 at a cost of R1,800 a year each. In 1912-13, 3 schools were opened, and in 1913-14, 4 schools.
ls will receive id unrecognised re R200 a year.	20 new district board and 17 new municipal schools to be opened.	.....	No teachers trained at pre-sent. It is expected to turn out 10 teachers a year at a cost of R314 per teacher per annum.	To be added :— 1 I. E. S. Superintendent of education.	3 new schools to be opened at an aver-age cost of R2,400 per annum.

No.	Province.	Average cost of a school building.	NUMBER OF BUILDINGS TO BE ERECTED IN THREE YEARS.	
			(a) For existing schools.	(b) For new schools.
	1	2	3	4
1	Madras . . . . .	Rs. 2,100	2,500	1,230
2	Pomray . . . . .	Local Board school . . . . . 2,330 Municipal school . . . . . 7,959 Both together . . . . . 2,943	2,145	166
3	Bengal . . . . .	550		
4	United Provinces . . . . .	Upper primary school . . . . . 2,500 Lower Primary school . . . . . 600 Vernacular middle school . . . . . 10,000	2,400	1,200
5	Punjab . . . . .	Vernacular middle school . . . . . 7,500 Primary school . . . . . 1,200 Average cost . . . . . 1,500		
6	Burma . . . . .	4,548	29	38
7	Bihar and Orissa . . . . .	Middle Vernacular school . . . . . 3,000 Board Do. do. . . . . 1,000 Aided Do. do. . . . . 400	1,635	1,855
8	Central Provinces . . . . .	1,200		
9	Assam . . . . .	(a) . . . . . 1,200 (b) . . . . . 20	400	...
10	Coorg . . . . .	450	29	11
11	North-West Frontier Province . . . . .	Existing primary schools . . . . . 1,500 New primary schools . . . . . 1,000 Vernacular middle schools . . . . . 15,000	102	111
12	Delhi . . . . .			
			33	3
	GRAND TOTAL . . . . .		13,622	9,591

tion including vernacular middle schools.

TOTAL ADDITIONAL AMOUNT TO BE SPENT IN THREE YEARS FOR BUILDINGS, EQUIPMENT, GARDENS, ETC., FROM (a) PROVINCIAL FUND, (b) IMPERIAL FUNDS		TOTAL AMOUNT OF IMPERIAL GRANT REQUIRED IN EACH OF THE THREE YEARS.			REMARKS.
(a) Provincial Funds.	(b) Imperial Funds.	1913-14.	1914-15.	1915-16.	
5	6	7	8	9	
Rs. 9,50,000	Rs. 71,00,000	Rs. 22,00,000	Rs. 24,00,000	Rs. 25,00,000	<p>Column 5.—Balance of Imperial grant sanctioned in the current year—</p> <p>Buildings . . . . . 9,00,000</p> <p>Gardens . . . . . 50,000</p> <p>Column 6.—Buildings . . . . . 68,00,000</p> <p>Equipment . . . . . 4,50,000</p> <p>Gardens . . . . . 50,000</p>
16,87,800	61,56,900	...	20,00,000	41,56,900	Figures rounded off to the nearest hundred.
...	35,22,800	11,96,000	11,79,200	11,47,600	The expenditure on buildings alone is estimated to amount to Rs. 29,22,800; for equipment Rs. 3,00,000 may be provided and Rs. 3,00,000 for gardens, etc. The total cost will therefore amount to Rs. 35,22,800.
26,00,000	27,00,000	...	9,00,000	18,00,000	Column 4.—It has since been reported that 1,500 new schools will be opened in three years.
12,50,000	9,50,000	...	4,00,000	5,50,000	
1,15,700	2,08,000	62,000	73,000	73,000	Figures rounded off to the nearest hundred
7,00,000	9,90,000	...	...	9,90,000	The scheme for providing buildings for aided schools has not yet been worked out and it will probably not be possible next year to spend more than the grant already received.
5,00,000	7,00,000	...	3,00,000	4,00,000	Column 5 is the grant already given to the provinces by the Government of India. No extra expenditure has been shown from Provincial Funds.
4,01,700	1,46,500	...	...	1,46,500	Figures rounded off to the nearest hundred.
					Column 2.—The average of Rs. 1,200 combines the average of Rs. 1,225 for new Lower Primary school buildings, sites, etc., and Rs. 1,000 for the improvement or reconstruction of Upper Primary school buildings. The sum is considerable as it is the largest schools which will first be selected for new buildings.
					The average of Rs. 20 pre-supposes (1) aid from the villagers, (2) saving on the recurring grants, and (3) cutcha buildings.
					Columns 5 and 6.—The total of these columns is Rs. 5,48,200.
					It is made up thus :—
					Products of columns 2 and 3—
					a. 400 × 1,200 . . . . . Rs. 4,80,000
					b. 1,230 × 20 . . . . . 24,600
					Additional items . . . . . 43,600
					Total . 5,48,200
...	24,400	8,100	9,900	6,400	Figures rounded off to the nearest hundred.
49,000	4,68,000	60,000	2,08,000	1,95,000	
...	1,85,100	56,000	59,500	69,600	Rs. 12,000 is estimated as the probable cost of an urban elementary school, but the figure for land acquisition included in this sum is always a doubtful one. Rs. 2,000 is estimated as the cost of a district elementary school. Rs. 5,000 + Rs. 7,500 is estimated as the cost of building a district vernacular middle school and boarding house.
82,54,200	2,31,46,700	35,82,100	75,20,000	1,20,85,000	Figures rounded off to the nearest hundred.

## Recurring expenditure on elementary education

No.	PROVINCE.	IMPROVEMENT OF EXISTING SCHOOLS.			EXPANSION OF EDUCATION.			Extension of principle of free education. Additional total recurring cost over period of three years.	TRAINING OF ELEMENTARY TEACHERS					DIRECTION AND INSPECTION.		
		Present average cost of a primary school.	Proposed average cost of a primary school.	Additional total recurring cost over period of three years.	Number of new primary schools.	Average cost of a new primary school.	Additional total recurring cost over period of three years.		Average annual number of teachers now turned out from training schools.	Average cost of training a teacher.	Average annual number proposed of teachers to be turned out from training schools.	Proposed average cost of training a teacher.	Additional total recurring cost over period of three years.	Present number of (a) superior (L. E. S. or P. E. S.) officers and (b) subordinate officers.	Proposed number of (a) and (b).	Additional total recurring cost over period of three years.
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
1	Madras . . . . .	Rs. 142	Rs. 375	Rs. 62,07,000	4,500	Rs. 375	Rs. 38,75,000	Rs. 15,00,000	3,800	Rs. 111	4,800	Rs. 114	Rs. 5,70,000	(a) 24 (b) 415	(a) 36 (b) 551	Rs. 9,85,700
2	Bombay . . . . .	429	547	23,34,300	1,500	232½	6,20,000	91,200	435	438	531	433	1,34,200	(a) 8 (b) 198	(a) 13 (b) 179	5,15,000
3	Bengal . . . . .	100	120	15,02,900	2,276	120	5,28,000	45,700	750	100	1,500	140	1,00,800	(a) 50 (b) 250	(a) 36 (b) 480	4,38,000
4	United Provinces . . . . .	245	520	20,00,000	1,200	520	9,00,000	1,50,000	824	156	2,810	140	3,50,000	(a) 26 (b) 180	(a) 29* (b) 268	3,00,000
5	Punjab . . . . .	300	325	2,00,000	1,500	250	6,50,000	1,00,000	375	195	600	200	1,00,000	(a) 19 (b) 68	(a) 25 (b) 90	2,00,000
6	Burma . . . . .	146	198	6,64,600	896	193	5,19,100	...	160	620	528	392	3,23,600	(a) 15 (b) 92	(a) 16 (b) 172	5,11,600
7	Bihar and Orissa . . . . .	184	160	11,58,000	2,025	Board schools 800 Aided schools 65	3,68,000	...	630	350	2,320	150	1,48,500	(a) 17 (b) 511	(a) 37 (b) 336	1,64,000
8	Central Provinces . . . . .	350	450	6,00,000	800	350	5,25,000	...	190	350	400	700	1,75,000	(a) 10 (b) 56	(a) 14½ (b) 64½	90,000
9	Assam . . . . .	126	396	3,80,200	1,230	100	2,13,600	37,500	130	104	800	234	4,700	(a) 3 (b) 41	(a) 15 (b) 63	1,19,000
10	Coorg . . . . .	376	553	33,800	11	340	5,500	...	13	178	13	193	700	(a) 1 (b) 2	(a) 1 (b) 2	...
11	North-West Frontier Province . . . . .	258½	279½	26,100	305	250	1,53,700	...	44	204	114	205	16,000	(a) 3 (b) 8	(a) 3 (b) 8	12,300
12	Delhi . . . . .	275	400 860	...	37	420 860	54,400	17,000	...	...	10	314	6,300	(a) 1 (b) 2	(a) 1 (b) 2	33,300
	TOTAL . . . . .	...	...	1,59,56,900	16,280	...	79,07,400	19,41,400	7,411	...	13,976	...	19,29,300	(a) 156 (b) 1,772	(a) 226 (b) 2,170	33,71,900

(including vernacular middle schools).

VERNACULAR MIDDLE SCHOOLS.					TOTAL ADDITIONAL AMOUNT TO BE SPENT IN THREE YEARS (BEING THE ADDITION OF COLUMNS 4, 7, 8, 18, 16 AND 21) FROM (a) PROVINCIAL AND (b) IMPERIAL FUNDS.		TOTAL AMOUNT OF THE IMPERIAL GRANT REQUIRED IN EACH OF THE THREE YEARS.			REMARKS.
Present number of schools.	Present average cost of a school.	Proposed number of schools.	Proposed average cost of a school.	Additional total recurring cost over period of three years.	(a) Provincial Funds.	(b) Imperial Funds.	1913-1914.	1914-1915.	1915-1916.	
17	18	19	20	21	22	23	24	25	26	27
181	Rs. 688	900	Rs. 3,000	Rs. 58,84,000	Rs. 12,00,000	Rs. 1,78,21,700	Rs. 41,28,500	Rs. 16,83,400	Rs. 15,69,400	<p>Figures rounded off to the nearest hundred.</p> <p>There are at present 25,211 elementary schools. It is proposed to take over under Board management 1,500 private schools and to open newly 1,500 schools each year</p> <p>It is proposed to train about 1,000 extra teachers every year which is about the number required.</p> <p>It is proposed to convert 300 lower elementary schools into higher elementary or vernacular middle schools every year.</p>
...	...	...	..	..	22,85,500	14,09,200	...	4,69,700	4,69,800	Figures rounded off to the nearest hundred.
374	470	153	840	1,17,700	...	27,33,200	5,64,800	3,57,800	3,24,700	<p>Figures rounded off to the nearest hundred.</p> <p>Column 3.—Excluding fees, etc.</p> <p>Column 5.—Does not include the 201 schools to be established in backward localities.</p> <p>Column 6.—Including fees, etc.</p>
356	1,176	392	1,580	3,00,000	20,00,000	29,00,000	.	7,00,000	15,00,000	<p>Aided schools have been excluded. Their future is too uncertain to enable any detailed figures to be given. The present grants are close on 3 lakhs and for revision of these an additional lakh per annum may be required. This* would bring the figure in column 23 to 31 and the figure in column 25 to 8.</p> <p>For figure in column 5 please see table of capital expenditure.</p> <p>* It has since been reported that the number should be 32.</p>
120	1,700	170	2,000	3,00,000	6,50,000	9,00,000	...	3,00,000	3,00,000	
804	519	960	806	8,78,600	8,09,000	25,88,500	6,10,800	2,27,600	3,02,400	Figures rounded off to the nearest hundred.
115	545	140	1,000	1,41,000	7,25,500	12,49,000	...	3,83,500	4,82,000	<p>† To Government.</p> <p>The present number of schools is 20,500.</p>
228	1,800	300	2,000	2,00,000	3,60,000	12,30,000	...	3,50,000	5,30,000	<p>Column 22 is the expenditure already sanctioned from the Government of India's recurring grant. No expenditure has been shown from Provincial Funds proper.</p> <p>‡ It has since been reported that the number should be 17.</p> <p>§ Or as many subordinate officers as may be required to provide approximately one Deputy Inspector for each 70 new schools.</p>
34	955	...	...	1,00,000	4,49,400	3,55,600	..	1,05,700	1,44,200	<p>Figures rounded off to the nearest hundred.</p> <p>Column 2.—The average of Rs. 396 will be applicable to only 150 schools during the period of experiment. In other schools a policy of gradual increase will be developed.</p> <p>Column 15.—(a) Includes the creation of 10 new posts for District Inspectors.</p> <p>The figures in columns 14, 15 and 16 are the outcome of a rough estimate of a scheme as yet very imperfectly considered.</p> <p>Columns 19 and 20.—The policy adopted does not permit of the filling in of these columns.</p> <p>Column 22.—The figures entered in this column are the addition of the amount of the recurring grants for elementary education (boys) so far as spent in 1913-14 on recurring purposes and the full amount of the grants (Rs. 2,00,000) in 1914-15 and 1915-16.</p>
...	...	7	985	9,600	...	49,600	12,800	3,300	4,600	Figures rounded off to the nearest hundred.
16	1,415 <sup>1</sup> / <sub>2</sub>	28	1,800	52,600	1,55,300	1,11,600	..	38,200	35,200	Figures rounded off to the nearest hundred.
2	2,400	5	2,400	18,200	...	27,200	16,000	38,400	2,400	Figures rounded off to the nearest hundred.
2,230	...	3,061	...	80,02,900	81,84,700	8,09,75,600	53,81,900	46,57,600	56,64,700	

## APPENDIX D.

(Referred to in Answer to Question No. 13.)

### A.—MILITARY.

*I—List of practitioners who have been granted temporary commissions in the Indian Medical Service, and at present employed on military duty in India.*

No.	Name.	Place of employment.
1	B. B. Kapila . . . . .	Peshawar.
2	N. V. Agate . . . . .	Chakdara.
3	S. C. Gupta . . . . .	Nowshera.
4	R. C. Malhotra . . . . .	Peshawar.
5	N. B. Aich . . . . .	Hasan Abdul.
6	J. Sircar . . . . .	Rawalpindi.
7	W. N. R. Naik . . . . .	Ambala.
8	M. Subramanyam . . . . .	Multan.
9	N. M. Bodas . . . . .	Lahore.
10	S. C. Jog . . . . .	Quetta.
11	S. M. Kaka . . . . .	Karachi.
12	S. L. Mitra . . . . .	Chaman.
13	S. C. Mitra . . . . .	Nowgong.
14*	B. N. Burjorjee . . . . .	Mhow Division (Not yet joined.)
15	S. S. Mahamadi . . . . .	Bombay.
16	S. K. Engineer . . . . .	Bombay.
17	B. S. Chalam . . . . .	Agra.
18	R. C. Kaushash . . . . .	Meerut.
19	J. C. Chuckerbuti . . . . .	Meerut.
20	S. K. Bose . . . . .	Calcutta.
21	C. E. R. Norman . . . . .	Secunderabad.
22	R. F. Hiley . . . . .	Secunderabad.
23	F. H. Noronha . . . . .	Bhamo.
24	S. C. Contractor . . . . .	Bannu.
25	M. A. Singh . . . . .	Miran Shah.
26	H. J. Wania . . . . .	Tank.
27	Y. V. Krishnamoorthy . . . . .	Jandola.

*II.—List of practitioners who have been granted temporary commissions in the Indian Medical Service and employed on service overseas.*

No.	Name.	REMARKS.
1	C. Stiebd.	
2	S. G. Ranaday.	
3	S. N. Mukerji.	
4	S. N. Chaudhuri.	
5	D. V. Giri.	
6	J. K. Nariman.	
7	R. C. P. Berryman.	
8	J. M. Falkiner.	
9	K. B. Kanga.	
10	G. L. Batra.	
11	J. B. deW. Molony.	
12	B. P. Sahawala.	
13	B. Prasad.	
14	S. Roy.	
15	J. M. D. Gupta.	
16	M. B. Yin.	
17	P. Banerjee.	
18	T. H. Bishop.	
19	S. S. Bankar.	
20	I. D. Grant.	
21	K. K. Dadachanji.	
22	P. J. Kolaporewalla.	
23	A. Bose.	
24	S. R. Kapoor.	
25	D. P. Oliver.	
26	C. M. Ganapathy.	
27	M. G. Bhandari.	
28	J. F. H. Morgan.	
29	P. M. Antia.	
30	F. M. Vajifdar.	
31	R. B. Spencer.	
32	A. Dias.	

No.	Name.	REMARKS.
33	H. Aung Khin.	
34	M. M Cowasjee.	
35	H. S. Dastur.	
36	D. Bharadwaja . . . . .	Invalided and Resigned.
37	E E Francis.	
38	E. A. Goldie.	
39	C. Fernandes.	
40	A. B. Pestonji.	
41	M B. Patel . . . . .	Died of wounds.
42	N. R. Ubhaya.	
43	N B. Mehta.	
44	S. N. Forbes.	
45	R. A. Barve.	
46	B S. Thakur . . . . .	Invalided and Resigned
47	S. D. Sondhi	
48	B. B. Broacha.	
49	A. Saldanah.	
50	G S Engineer.	
51	N. S. Joshi	
52	P. J. deSouza.	
53	K. K. Patel.	
54	A. daF. Dias.	
55	S. C. Sen Gupta.	
56	K B. Amin.	
57	K. S. Master.	
58	C. H. Yerimalani.	
59	A. Joseph.	
60	R. J. N. Luthera.	
61	S K. Roy.	
62	A. V. Dabholkar.	
63	G. V. Ram Mohan.	
64	J. A. Iswariah.	
65	S J. Kotak.	
66	V. M. Kaikini.	

No.	Name.	REMARKS.
67	J R. Gwynne.	
68	S. K. Phadke.	
69	R N. Khosla.	
70	H. S Rajan.	
71	R. E. Dadachanji.	
72	H. C Roy Chowdy.	
73	L. S. Machado.	
74	A. C. Dutt.	
75	S. C. Sen.	
76	R. N. Kapadia.	
77	P. R. Vakil.	
78	T. M. Nair	Resigned.
79	S. H. Modi	Resigned.
80	V. B. Gokhale.	
81	A. A. H. Fyzee.	
82	B G. V. Dias.	
83	J. N. H. Choksy.	
84	R K Dadachanji.	
85	F S Master.	
86	S. J. E. Spencer.	
87	S. D. Billimoria.	
88	K. K. Mehta.	
89	S. V. Kirtane.	Resigned.
90	J. V. Shirgaokar.	
91	S. Mukerji.	
92	Satyapal.	
93	A. MacI Ramsay.	
94	V. M. Kanai.	
95	M. L. Dhawan.	
96	B. S. Dhondy.	
97	Balkrishna.	
98	A. Dias.	
99	K. P. Panikhar.	
100	T. K. Menon.	

No.	Name.	REMARKS.
101	V. L. Sathe.	
102	R. N. Karode.	
103	R. N. Ajinkya.	
104	U. N. Banerjee.	
105	P. K. Gupta.	
106	N. Chatterjee.	
107	P. N. Ghosh.	
108	V. H. Patak.	

## B.—CIVIL.

*List of private medical practitioners employed on civil duties since the outbreak of war.*

No.	Name.	Post held.	Pay and allowances.
<b>Madras.</b>			
1	Dr. F. R. S. Milton, M.R.C.S., L.R.C.P., (London).	Civil Surgeon, Coonoor . . .	Rs. 700.
2	Dr. W. Stokes, M. B. . . .	District Medical and Sanitary Officer, Malabar, and Superintendent, Lunatic Asylum, Calicut.	Rs. 525.
3	C. T. Verghese, L. M. & S. . . .	Assistant Surgeon, Government Maternity Hospital, Madras.	Pay Rs. 100. C. A. Rs. 30.
4	G. L. P. Phillipsz, L.R.C.P. & S. . . .	Assistant Surgeon, Second District, Madras.	Pay Rs. 100. C. A. Rs. 30.
5	S. L. Somayaji, L.M. & S. . . .	Assistant Surgeon, Koraput . . .	Pay Rs. 100. C. A. Rs. 30.
6	K. Ramanujan, L. M. & S. . . .	Assistant Surgeon, Local Fund Hospital, Manantoddy (Malabar District.)	Pay Rs. 100. C. A. Rs. 30.
7	P. K. Kuryan, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Angadipuram (Malabar).	Pay Rs. 100. C. A. Rs. 30.
8	B. Dnyananda Rao, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Dharapuram (Coimbatore District).	Pay Rs. 100. C. A. Rs. 30.
9	S. Venkata Rao, L. M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Narasaraopet (Guntur District).	Pay Rs. 100. C. A. Rs. 30.
10	A. Govinda Puduval, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Vayittiri (Malabar)	Pay Rs. 100. C. A. Rs. 30.
11	V. Viswanatha Sarma, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Mettupalaiyam (Coimbatore District).	Pay Rs. 100. C. A. Rs. 30.
12	C. Abbu, M.B. & C. M. . . .	Assistant Surgeon, Local Fund Hos- pital, Tirukkoilur (South Arcot District).	Pay Rs. 100. C. A. Rs. 30.
13	K. R. Subbayya, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Kallakurchi (South Arcot District).	Pay Rs. 100. C. A. Rs. 30.
14	P. A. Abraham, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Dharmapuri (Salem District).	Pay Rs. 100. C. A. Rs. 30.
15	C. R. Venkatanarayana, L.M. & S. . . .	Assistant Surgeon, Local Fund Hos- pital, Shiyali (Tanjore District).	Pay Rs. 100. C. A. Rs. 30.
16	K. S. Gopalaswami, L.M. & S. . . .	Assistant Surgeon, Municipal Hos- pital, Mayavaram (Tanjore Dis- trict).	Pay Rs. 100. C. A. Rs. 30.
17	P. Balakrishna Menon, L.M. & S. . . .	Assistant Surgeon, Municipal Hos- pital (Bellary).	Pay Rs. 100. C. A. Rs. 30.
18	T. S. Ramaswami Pillai, M.B. & C.M.	Sanitary Assistant to the District Medical and Sanitary Officer, Tan- jore.	Pay Rs. 100. L. A. Rs. 75.

No.	Name.	Post held.	Pay and allowances.
19	N. Alagacingari, B.A., M.B. & B.S.	Assistant to the District Medical and Sanitary Officer, Chingleput.	Pay Rs. 100. L. A. Rs. 50.
20	S. Kullappa Pillai, L.M. & S.	Assistant Surgeon attached to the Collector's Establishment, Vizagapatam	Pay Rs. 100. C. A. Rs. 30.
21	C. Ramamurti L. M. & S., B S, Sc.	Assistant Surgeon on special duty in connection with the Medical Inspection of Schools under the management of the Madras Corporation.	Pay Rs. 100. C. A. Rs. 30.
22	D. P. Krishnaswami Aiyar	Sub-Assistant Surgeon, Local Fund Dispensary, Piler (Chittoor District).	Pay Rs. 60. Allowance Rs. 30.
23	T. V. Viraraghu Pillai	Sub-Assistant Surgeon	Pay Rs. 60. Allowance Rs. 30.
24	R. Sambamurti Ayyar	Ditto	Pay Rs. 30. Allowance Rs. 15.
25	P. T. Arjun Sing	Ditto	Pay Rs. 60. Allowance Rs. 30.
26	P. Joseph	Ditto	Pay Rs. 30. Allowance Rs. 15.
27	Rama Shenoy Damodar	Ditto	Pay Rs. 30. Allowance Rs. 15.
28	P. W. Roberts	Ditto	Pay Rs. 50. Allowance Rs. 25.
29	Vedanayakam	Ditto	Pay Rs. 50.
30	D. Samuel	Ditto	Pay Rs. 40. Allowance Rs. 20.
31	M. R. Govinda Rao	Ditto	Pay Rs. 40. Allowance Rs. 23.
32	K. Ramaswamy	Ditto	Pay Rs. 30. Allowance Rs. 15.
33	M. S. Natarajan	Ditto	Pay Rs. 30. Allowance Rs. 15.
34	M. Gopal Nayar	Ditto	Pay Rs. 40. Allowance Rs. 20.
35	T. S. Rajagopala Achari	Ditto	Pay Rs. 30. Allowance Rs. 15.
36	A. Lakhmi Narayana Rao	Ditto	Pay Rs. 30. Allowance Rs. 15.
37	G. D. John	Ditto	Pay Rs. 60.
38	K. Purushottam	Ditto	Pay Rs. 30. Allowance Rs. 15.
39	V. Bhavanarayana	Ditto	Pay Rs. 30. Allowance Rs. 15.
40	G. Narayana Menon	Ditto	Pay Rs. 30. Allowance Rs. 15.
41	A. Krishna Rao	Ditto	Pay Rs. 30. Allowance Rs. 15.

No.	Name.	Post held	Pay and allowances.
42	V Kodandaraman . . .	Sub-Assistant Surgeon . . .	Pay Rs. 30. Allowance Rs. 15.
43	A. Jagannatha Pillai . . .	Ditto . . .	Pay Rs. 60. . Allowance Rs. 15.
44	V. Narayanan . . .	Ditto . . .	Pay Rs. 30 Allowance Rs. 15.
45	K. Kanagasabhapathi . . .	Ditto . . .	Pay Rs. 40. Allowance Rs. 20.
46	T. V. Knuvilla . . .	Ditto . . .	Pay Rs. 30. Allowance Rs. 15.
47	C. Padmanabha Menon . . .	Ditto . . .	Pay Rs. 30. Allowance Rs. 15.
48	P. C. Menezes . . .	Ditto . . .	Pay Rs. 40. Allowance Rs. 20.
49	Khan Jahan Khan . . .	Ditto . . .	Pay Rs. 40. Allowance Rs. 20.
50	M. E. Landeman . . .	Ditto . . .	Pay Rs. 30. Allowance Rs. 15.
51	M. Subba Rao . . .	Ditto . . .	Pay Rs 30. Allowance Rs. 15.
52	C. R. Narayana Ayyar . . .	Ditto . . .	Pay Rs. 30. Allowance Rs. 15.
53	C. S. Vedam Ayyar, L. M. & S. .	Ditto . . .	Pay Rs. 40. Allowance Rs. 20.
54	S. Devanayakam Ayyangar . .	Ditto . . .	Pay Rs. 50. Allowance Rs. 25.

### Bombay.

1	Gianchand Teunmal Hingorani, M.B., B.S, F.R.C.S.	Civil Surgeon, Sukkur . . .	Pay Rs. 500. Jail allowance Rs. 100. Visiting charge, Jacobabad, Rs. 100. North Western Railway allowance Rs. 100.
2	Govind Bhau Prabhakar, L.R.C.P., L.F.P.S.	Ophthalmic Surgeon and Professor of Ophthalmic Medicine and Surgery, Grant Medical College, Bombay.	Pay Rs. 700.
3	H. L. Holland, M.B., F R.C.S.	Civil Surgeon, Hyderabad, Superintendent, Medical School, Hyderabad, Superintendent Lunatic Asylum, Hyderabad, Visiting Surgeon, Nawabshah, and Medical Officer, North-Western Railway.	Pay Rs. 700. Allowances Rs. 400. North-Western Railway allowance Rs. 50.
4	Rev. J. C. Young, M.B.	Health Officer, Port of Aden, and Medical Officer, European General Hospital, Aden.	Pay Rs. 700. Local allowance Rs.150. Allowance for inspection of vessels at night Rs. 150.
5	Rev. A. MacBae, M.B.	Civil Surgeon, Aden . . .	Pay Rs. 700. Jail allowance Rs. 100. Allowance for attendance on Arabs Rs. 100.

No.	Name.	Post held.	Pay and Allowances
<b>Bengal.</b>			
1	Dr. Murray, Chief Medical Officer, A. B. Railway.	Holds charge of Civil Surgeoncy, in addition to his own duties, and Jail allowance Rs. 75.	
2	Ban Behari Mukerjee, M.B.	Medical Officer, Eastern Bengal Railway, Paksey.	Pay Rs. 100.
3	Hemendra Nath Pakshi	Siligury Sub-division and Dispensary.	Pay Rs. 100. Allowances Rs. 40.
4	Akhil Ranjan Mazumdar, M.B.	Police Training College, Sardar	Pay Rs. 100. Allowances Rs. 175.
5	Upendra Nath Das, M.B.	Presidency General Hospital	Pay Rs. 100. Local allowance Rs. 50. House rent Rs. 30.
6	Jitendra Kumar Banerji, M.B.	Ditto	Pay Rs. 100. Local allowance Rs. 50. House rent Rs. 30.
7	Bijitendra Basu	Additional Assistant Surgeon, Sambhu Nath Pandit Hospital.	Pay Rs. 100.
8	Rash Bihari Dutta	Assistant Apothecary, Medical College Hospital.	Pay Rs. 100. Staff allowance Rs. 50.
9	Kartie Chandra Bakshi, M.B.	Medical Officer, Eastern Bengal Railway, Parbatipur	Pay Rs. 100.
10	Binod Bihari Hazara, M.B.	Nator Sub-division and Dispensary	Pay Rs. 100. Sub-jail allowance Rs. 20.
11	Haris Chandra Sen, M.B.	Presidency General Hospital	Pay Rs. 100. Local allowance Rs. 50. House rent Rs. 30.
12	Kanak Chandra Baral, M.B.	Emergency Officer, Medical College Hospital.	Pay Rs. 100 Local allowance Rs. 50.
13	Nauratan Lal Barma, M.B.	Demonstrator, Anatomical Department.	Pay Rs. 100.
14	Susil Kumar Bhattacharji	Presidency General Hospital	Pay Rs. 100. Local allowance Rs. 50. House rent Rs. 30.
15	Bama Charan Munshi, M.B.	Special duty, Settlement Camp, Chandpur.	Pay Rs. 100.
16	Narendra Nath Datta, M.B.	Presidency General Hospital	Pay Rs. 100. Local allowance Rs. 50. House rent Rs. 30.
17	Keshab Chandra Sen Gupta, M.B.	Medical Officer, Eastern Bengal Railway, Godagari.	Pay Rs. 100.
18	Surendra Kumar Sil	Bhoira Dispensary, Faridpur	Pay Rs. 30.
19	Mr. Nowsherwan	Jail Hospital, Baraset	Pay Rs. 30. Jail allowance Rs. 10.
20	Kanai Lal Bose	Bagdogra Dispensary, Darjeeling	Pay Rs. 30. Local allowance Rs. 10.
21	Surendra Chandra Chakrabatty	Police Hospital, Jessore	Pay Rs. 30.

No.	Name.	Post held.	Pay and allowances.
22	Pulin Behary, Nag . . .	2nd Sub-Assistant Surgeon, Alipore Central Jail.	Pay Rs. 30. Allowance Rs. 20.
23	Jesoda Ch. Roy Chaudhury . . .	2nd Sub-Assistant Surgeon, Presidency Jail.	Pay Rs. 30. Local allowance Rs. 20.
24	Harsha Nath Bhattacharji . . .	Pankhabari Dispensary, Darjeeling .	Pay Rs. 30. Local allowance Rs. 10.
25	Dhirendra Nath Roy . . .	Police Hospital, Midnapore . . .	Pay Rs. 30.
26	Jamini Kumar Mukherji . . .	Panisidewah Dispensary . . .	Pay Rs. 30. Allowance Rs. 10.
27	Muhammad Kanwal Haq . . .	On leave without pay . . .	Pay Rs. 30.
28	Heramba Lal Laskar . . .	Jail Hospital, Rangpur . . .	Pay Rs. 30. Jail allowance Rs. 10.
29	Makhan Lal Saha . . .	Bhudrasan Dispensary, Faridpur .	Pay Rs. 30.
30	Anadi Kumar Bhattacharji . . .	Police Hospital, Calcutta . . .	Pay Rs. 30. Allowance Rs. 20.
31	Haripada Ghosh . . .	On leave without pay . . .	Pay Rs. 30.
32	Girish Chander Das . . .	Travelling Sub-Assistant Surgeon, Tera.	Pay Rs. 30. Allowance Rs. 25.
33	Revati Mohan Sen . . .	Ramgarh Dispensary Chittagong Hill Tracts.	Pay Rs. 30. Allowance Rs. 20.
34	Abdur Rauf . . .	Police Lock-up, Calcutta . . .	Pay Rs. 30. Allowance Rs. 25.
35	Herendra Charan Sen . . .	Dockyard Dispensary, Kidderpore .	Pay Rs. 30.
36	Satindra Nath Ghosh . . .	Khoribari Dispensary . . .	Pay Rs. 30. Allowance Rs. 10.
37	Anil Behari Datta . . .	Supernumerary duty, Dacca . . .	Pay Rs. 30. Allowance Rs. 10.
38	Janoj Nath Bose . . .	2nd Sub-Assistant Surgeon, Midnapore Central Jail.	Pay Rs. 35. Allowance Rs. 10.

#### United Provinces.

1	Dr. Edgar Evans, L.R.C.P. & S. . .	Civil Surgeon . . .	Pay Rs. 700. Jail allowance Rs. 75.
2	Dr. H. M. Dawler, L.R.C.P., etc. .	Ditto . . .	Pay Rs. 700.
3	Dr. J. Morton, M.D. . . .	Ditto . . .	Pay Rs. 700. Jail allowance Rs. 75.
4	Dr. T. Caul, M.B., Ch. B., L.M. .	Ditto . . .	Pay Rs. 700. Jail allowance Rs. 75.
5	Dr. J. F. Robinson, M.D. . . .	Ditto . . .	Pay Rs. 700. Jail allowance Rs. 100.
6	Dr. S. M. Varis, M.D. . . .	Ditto . . .	Pay Rs. 700. Jail allowance Rs. 100.
7	Dr. P. P. Tobit, L.M.S., S.A. and L.S.A. . . .	Ditto . . .	Pay Rs. 700. Jail allowance Rs. 75.
8	Dr. B. N. Varma, L.R.C.P. & S. .	Ditto . . .	Pay Rs. 700. Jail allowance Rs. 100.
9	Dr. H. B. Osborne . . .	Ditto . . .	Pay Rs. 700.
10	Nani Singh Gurkha, M.B., B.S. .	Assistant Surgeon . . .	Pay Rs. 190.
11	Ram Shankar, M.B., B.S. . . .	Ditto . . .	Pay Rs. 190.

No.	Name.	Post held.	Pay and allowances.
12	Amrit Lal, H. Pate, M.B., B.S.	Assistant Surgeon	Pay Rs. 190.
13	Suraj Narain Kapur, L.M.S.	Ditto	Pay Rs. 100.
14	Ram Das Pramanick, M.B., B.S.	Ditto	Pay Rs. 190.
15	Gurdas Ram, L.M.S.	Ditto	Pay Rs. 190.
16	Mohammad Husain, M.B., B.S.	Ditto	Pay Rs. 190.
17	P. N. Sen, L.M.S.	Ditto	Pay Rs. 190.
18	Kaushala Nandan Sahai, M.B.	Ditto	Pay Rs. 190.
19	Hari Dhan Banerjee, M.B.	Ditto	Pay Rs. 190.
20	Gauharali	Sub-Assistant Surgeon	Pay Rs. 30.
21	*Dabie Dayal	Ditto	Pay Rs. 30.
22	*Ram Chand	Ditto	Pay Rs. 30.
23	†Abdul Rahman	Ditto	Pay Rs. 30.
24	N. Dr. Ahmed Husain	Native Dr.	Pay Rs. 30.
25	N. Dr. Mir Ehsen Ali	Ditto	Pay Rs. 30.
26	N. Dr. Mohamed Usman Ahmad	Ditto	Pay Rs. 30.
27	N. Dr. Budh Singh	Ditto	Pay Rs. 30.
28	N. Dr. Raghuber Dial	Ditto	Pay Rs. 30.
29	N. Dr. Inayat Ullah Khan	Ditto	Pay Rs. 30.
30	*N. Dr. Sobha Ram	Ditto	Pay Rs. 30.
31	N. Dr. Durga Datt	Ditto	Pay Rs. 30.
32	N. Dr. Baldeo Sahai	Ditto	Pay Rs. 30.
33	†N. Dr. Girdari Lal	Ditto	Pay Rs. 30.
34	N. Dr. Mr. Street	Ditto	Pay Rs. 30.
35	N. Dr. Bhukan Sara	Ditto	Pay Rs. 30.
36	N. Dr. L. Swing	Ditto	Pay Rs. 30.
37	N. Dr. Shambhu Nath	Ditto	Pay Rs. 30.
38	N. Dr. Nanak Chand Tewari	Ditto	Pay Rs. 30.
39	N. Dr. Hamid Husain	Ditto	Pay Rs. 30.
40	Sub-Assistant Surgeon Ram Roop	Ditto	Pay Rs. 30.
41	N. Dr. Chandernath	Ditto	Pay Rs. 30.

#### Punjab.

1	Dr. Lechmere Taylor (C.M.S.)	Professor of Ophthalmology, Medical College, Lahore.	Pay Rs. 700. Professorial allowance Rs. 300.
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\* Resigned.

† Services dispensed with.

No.	Name	Post held.	Pay and allowances.
<b>Burma.</b>			
<i>Nil.</i>			
<b>Bihar and Orissa.</b>			
1	Dr. Lindmarsh . . . .	Civil Surgeon, Muzaffarpur . .	Pay Rs.350. Jail allowance Rs. 100. Pusa allowance Rs. 100.
2	Dr. Lovesay . . . .	Civil Surgeon, Darbhanga . .	Pay Rs. 600. Jail allowance Rs. 100.
3	Dr. Tenwick* . . . .	Civil Surgeon, Champaran . .	Pay Rs. 350. Jail allowance Rs. 100.
<b>Central Provinces (including Berar).</b>			
1	W. G. Wince, M.R.C.S., L.R.C.P. .	Civil Surgeon and Superintendent, District Jail, Bhandara.	Pay Rs. 500. Jail allowance Rs. 50.
2	A. E. Tanner, L.R.C.P. and S., L.F.P. and S., D.P.H.	Civil Surgeon and Superintendent, District Jail, Amraoti.	Pay Rs. 500. Jail allowance Rs. 75.
3	George da Silva, L.R.C.P. & S., L. R. F. P. M. S., D. P. H., D. T. M. & H.	Civil Surgeon and Superintendent, District Jail, Akola.	Pay Rs. 500. Jail allowance Rs. 75.
4	L. Castallino, D.P.H., D.T.M. .	Civil Surgeon and Superintendent, District Jail, Narsinghpur.	Pay Rs. 500. Jail allowance Rs. 50.
5	J. C. Sampson, L.M. & S. . . .	Civil Assistant Surgeon, Nagpur .	Pay Rs. 100. Local allowance Rs. 30.
6	Pramath Nath Sen, L.M. & S. . .	Ditto Chanda .	Pay Rs. 100.
7	Kanwar Lal Jhanji, M.B., B.S. .	Ditto Seoni .	Pay Rs. 100.
8	Hari Goyal Sanyal, L.M. & S. . .	Ditto Amraoti .	Pay Rs. 100.
9	Shankar Abaji Nimonkar, L.M. & S.	Ditto Khandwa .	Pay Rs. 100.
10	Dinkar Damodar Desai, L.M. & S.	Ditto Plague duty	Pay Rs. 100. Allowance Rs. 2 a day.
11	Manakshaw Dady, L.M. & S. . . .	Ditto Chinidwara .	Pay Rs. 100.
12	A. Benjamin Elijah, L.M. & S. . .	Ditto Bilaspur .	Pay Rs. 100.
13	Esardas Bulchand Gidwani, M.B., B.S.	Ditto Wardha .	Pay Rs. 100.
14	A. C. Gomes, L.M. & S. . . .	Ditto Raipur .	Pay Rs. 100.
15	C. R. Alvares, L.M. & S. . . .	Ditto Plague duty	Pay Rs. 100 and Rs. 2 a day.
16	Pritosh De, M.B. . . . .	Ditto Damoh .	Pay Rs. 100.
17	Chandulal P. Shah, M.B., B.S. . .	Ditto Amraoti .	Pay Rs. 100.
18	Ardesir Dadabhoy Shroff, M.B., B.S.	Ditto Akola .	Pay Rs. 100.
19	Venilal Vrajlal Metha, M.B., B.S. .	Ditto Saugor .	Pay Rs. 100.
20	Alli Muhammad Jooniabhai Merchant, L.M. & S.	Ditto Plague duty	Pay Rs. 100. Allowance Rs. 2 a day.
21	Nirad Gopal Ray, M.B. . . . .	Ditto Raipur .	Pay Rs. 100. Allowance Rs. 30.

\* On Military duty since 21st June 1915.

No.	Name.	Post held.	Pay and allowances.
22	Bijoy Chandra Mukherjee . . .	Civil Assistant Surgeon, Jubbulpore .	Pay Rs. 100.
<b>Assam.</b>			
1	Dr. H. G. Roberts, M.B , Ch. B. .	Civil Surgeon, Khasi and Jaintia Hills.	Pay Rs. 700, local allowance Rs. 50. Also draws a fee of Re. 1-4 per boarder of the Pine Mount School.
2	Dr. G. D Madhok . . . . .	Civil Surgeon, Sibsagar . . . . .	Pay Rs. 500. District Jail allowance Rs. 75
3	Dr. J. D. Price M.R.C S., L.R.C.P. .	Civil Surgeon, Nowgong . . . . .	Pay Rs. 600. Jail allowance Rs. 50.
<b>North-West Frontier Province.</b>			
1	Sub-Assistant Surgeon Hari Chand*	Plague and Cholera duty, Shabkadar	Pay Rs. 30 Plague allowance 12 annas a day.
<b>Coorg.</b>			
1	P. M Pelliappa . . . . .	Assistant Surgeon, Civil Hospital, Mercara, from 21st November 1914 to 5th August 1915.	Pay and allowance Rs. 180
		Civil Apothecary, Virajpet, after 5th August 1915	Pay Rs. 120. Allowance Rs. 20.
<b>Delhi.</b>			
1	†Dr. K. A. Rahman . . . . .	Plague Medical Officer until 18th November 1914.	Pay Rs 350.
<b>Foreign and Political Department.</b>			
...	†H. T. Holland (C.M.S.) . . . . .	Civil Surgeon, Sibi . . . . .	Pay Rs. 750.
...	§Dr. S. Gaster, L.M.S., S A. . . . .	Ditto . . . . .	Pay Rs. 750.
...	Dr. A. C. J. Elwin (C.M.S.) . . . . .	Ditto . . . . .	Pay Rs. 750.
<b>Department of Education.</b>			
1	Dr. Accaciada Gama, D.P.H., D.T M. & H.	Acting Deputy Sanitary Commissioner (Bombay Presidency).	Pay Rs 500. Tentage Rs. 20.
2	Dr. K. D. Khambata, L.R.C.P., S.L.F.P., & S.D.P.H	Ditto . . . . .	Pay Rs. 500. Tentage Rs. 20.
3	Dr. K. S. Mhasker, M.A., B.Sc., M.D., D.P.H. D T.M. & H.	Acting Director, Vaccine Institute, Belgaum.	Pay Rs. 700. Conveyance allowance Rs. 50.
4	Dr. Bidhan Prasad Muzumdar, L.M.S. & D P. H.	Officiating Deputy Sanitary Commissioner (Bihar and Orissa).	Pay Rs 350

\* Services dispensed with on 9th November 1915.

† Secured permanent appointment as Deputy Sanitary Commissioner, Punjab.

‡ Since employed in Hyderabad (Sind).

§ For a few days only.

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OF  
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ASSEMBLED FOR THE PURPOSE OF MAKING  
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